No. 3480.

POLITICAL DEPARTMENT.

Bombay Castle, 6th June 1885.

RESOLUTION OF GOVERNMENT.

With reference to Government Resolution No. 2125, dated 6th April 1885, His Excellency the Governor in Council is pleased to direct that all the Courts (other than those under the Kolhápur Agency) to which the provisions of Section 650 A of the Code of Civil Procedure have been applied by the Government of India's Notification No. 868-I. of 13th March 1885, should undertake the free service of processes issued by the Civil Courts in this Presidency, duly sent to them under Section 90 of the Code of Civil Procedure, on the understanding that their processes will be served free of cost by the Courts in this Presidency.

The mutual free service of processes is already in force between the Civil Courts under the Kolhápur Agency and the Civil Courts of the Presidency.

J. B. RICHEY,
Chief Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent to His Excellency the Governor, Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Sholápur,
The Registrar, High Court, Appellate Side (by letter),
The Judicial Department of the Secretariat (with reference to that Department transfer No. 3237, dated 8th May 1885).

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No. 1912.

POLITICAL DEPARTMENT.

Bombay Castle, 2nd April 1886.

Letter from the Acting Political Agent, Kolhápur and Southern Marátha Country, No. 104, dated 18th March 1886—Stating that the Collector of Belgaum has requested him to recover from a Babu residing in Miraj, the license tax assessment imposed on him, viz., Rs. 200, for the year 1884-85; that on a search for precedents he finds that the Collector of Bellary preferred a similar request in regard to land revenue arrears due by a defaulter who resided in Miraj; and that the Political Agent complied with the request, but the man could not be found. Stating further that although there is reciprocity between the British Civil Courts and the Miraj Civil Courts in regard to the execution of decrees, he is of opinion that no other British decrees, as for instance those of the Revenue Courts, should be enforced in a Native State, and that he bases his objections on the grounds which induced the Government of Bombay (in their letter to the Government of India, No. 48, dated 19th May 1868) to object to enforcement of civil decrees in 1868 in the absence of reciprocity or except through the Courts of the Native States. Soliciting a general ruling on the question as his views differ from those of his predecessor.

RESOLUTION.—The Governor in Council concurs in the view expressed by the Acting Political Agent.

W. WEDDERBURN,
Acting Chief Secretary to Government.

To

The Acting Political Agent, Kolhápur and Southern Marátha Country,
All other Political Officers, excepting the Political Resident at Aden.

No 1115 - of 1886

Nuwara 9th April 1886

Copy forwarded for information to the Diwan of Travancore.

Raghunathrao
Dewan Peshkar & Pol agent

[illegible]

Decrees.

Reciprocity in the matter of the execution of — passed in civil suits between British Courts and Courts of Native States under the political control of the Bombay Government.

No. 508.

POLITICAL DEPARTMENT.

Bombay Castle, 23rd January 1897.

Letter from the Acting Political Agent, Mahi Kántha, No. 1260, dated the 22nd May 1894—Requesting that orders may be passed regarding the execution by Native Chiefs of decrees passed by the Agency Courts, as a case has been brought to his notice in which a Jurisdictional Chief has refused to execute a civil decree passed by an Agency Court, pleading that there has been no mutual arrangement in this behalf. Stating the practice in vogue in Káthiáwár; and suggesting that the same may be applied to the Mahi Kántha. Making remarks.

Further letter from ditto ditto, No. 1637, dated the 30th June 1894—Stating, in reply to Government letter No. 3527, dated the 12th June 1894, that the suit in question was a monetary one, and was filed in the Court of the Native Assistant within whose jurisdiction the cause of action had arisen and who passed a consent decree, the amount of which was made payable in three instalments; that the last instalment not having been paid, the plaintiff made an application for execution against the property of the defendant mentioned therein; and that as the property was in Sádra village within the jurisdiction of *Vásna*, a Fifth Class Taluka, the application was forwarded by the Native Assistant for execution to the Talukdar who refused to execute. Making remarks.

Letter to the Secretary to the Government of India, Foreign Department, No. 5447, dated the 1st September 1894:—

"The Political Agent, Mahi Kántha, lately referred to Government the following case, and submitted the proposal indicated below. The Sádra Civil Station is an *enclâve* of British jurisdiction in the petty Tálukdári Estate of Vásna, in which station by long custom the British Government exercises full jurisdiction over all persons and property therein. In a suit for payment of money due, the Native Assistant passed a decree for payment of the judgment debt in three instalments, and on default the plaintiff applied to execute the decree against the property of the defendant situated in the Sádra village just outside the limits of the Civil Station. The Vásna Tálukdár exercises petty jurisdiction of the fifth class only, but in the particular case the jurisdiction exercised by the Native Assistant was not the residuary jurisdiction of the British Government over Vásna, but its exclusive jurisdiction over the Sádra Station. No reciprocal arrangement for the execution of decrees exists between the Courts of the Civil Station and the Courts of Vásna, and I should add that the British jurisdiction in Sádra Civil Station rests not upon a Notification under the Foreign Jurisdiction Act but upon very long-established custom and unquestioned consent.

"2. The Political Agent invited attention to a Despatch No. 5, dated February 17th, 1876, from the Secretary of State, of which a copy is attached, sanctioning the execution of decrees passed in British Courts, in cases within the cognizance of such Courts, by Chiefs of the Third Class and lower classes in Káthiáwár, so long as their jurisdictional powers are not interfered in, with the remark that their consent should have been obtained to the orders to that effect which had been passed by the Political Agent. The Political Agent, Mahi Kántha, proposed that, with the exception of I'dar, every other State in the Mahi Kántha, where the Second Class Chiefs exercise a jurisdiction not higher than the Third Class Chiefs of Káthiáwár, should execute decrees of the British Courts passed in respect of suits within the cognizance of those Courts; the decrees being executed by Tálukdárs of the Fourth and higher classes in the spirit of Section 224 of the Civil Procedure Code as transferred decrees, and in other cases by the Tálukdárs as Nazirs of the British Courts.

"3. The Governor in Council considers it advisable, in view of the large number of Native States in this Presidency, to proceed with deliberation and

with the sanction of the Government of India in this matter; and the following principles commend themselves to his judgment as moderate and reasonable principles, which will combine the minimum of interference with the Native States with the maximum of public convenience.

"4. As to the first principle, I am to observe that there are a few Courts, and in course of time there may be a few more, not established by the Governor General in Council in Native States, (*e. g.* Notification No. 867-I, dated March 13th, 1885), whose decrees may, under Section 229 B of the Code of Civil Procedure, be executed in British India. A declaration that such privileged Courts must execute, through their own machinery, the decrees of all British Civil Courts, both those in British India and those established or continued in, or in respect of, foreign territory, seems reasonable and proper. If the best organised British Courts recognise the decrees of Native State Courts, the less well organised Native State Courts may well be expected to execute the decrees of all British Courts.

"5. As to the second principle, I am to observe that the recognition by British Indian Courts of the Acts of Court situated in the territories of Native States (which have not been established or continued by the Governor General in Council), is not likely to be extended to any length until the judicial systems of the Native States are greatly improved. Meanwhile there seems no reason why, as a preliminary step, reciprocal execution of decrees between Native State Courts and the Courts known as Courts established, or continued, by the Governor General in Council in, or in respect of, Native States, should not be recognised and provided for. The Governor in Council proposes to call for opinions as to the fitness of certain Courts for the extension of this limited scheme of reciprocal recognition, and to authorise reciprocal action where it seems desirable. As explaining why action in this direction might be left to the discretion of this Government, I am to remind the Government of India of the hundreds of jurisdictions in this Presidency, and of the fact that British Districts are honeycombed with foreign territory. The power, which the Governor in Council here asks for, would of course be limited to the execution of the decrees of the Native State Courts in areas not in British India, but outside British India such as Thána Circles, Cantonments in foreign territory, Civil Stations, Managed States, and Railways in foreign territory.

"6. There remains a third class of cases, namely, decrees passed by a British Court, exercising civil jurisdiction in, or in respect of, territory outside British India, where such Court exercises residuary civil jurisdiction, of which an instance is supplied by the Government of India Notification No. 394-I., dated January 28th, 1888. Here no question of reciprocity need arise. Such decrees must be executed or the civil jurisdiction of the Governor General in Council would be nugatory. In the opinion of this Government, they should be executed by the Native State's Chief Court, and the fact certified to the Political Agent's Court.

"7. I am to request that the Governor General in Council may be moved to give his sanction to these proposals. In the particular case put the decree issued by the Sádra Civil Station Court would not be executed in Vásna, outside the Civil Station of Sádra, unless the Vásna Courts were recognised by the Sádra Courts under the proposals contained in paragraph 5 above; for the case in question was not one which falls under the operation of the principle discussed in paragraph 6 of this letter.

"8. Finally as to the mode of execution the Governor in Council would prefer that in every case the authority, however small, of the Native State should be upheld, and the decree be transferred to the Tálukdár or Chief, wherever it may be executed, for execution. But if the Tálukdár does not satisfactorily explain why the decree has not been executed, the Political Agent should be authorized to enforce execution."

Letter from the Assistant Secretary to the Government of India, Foreign Department, No. 2308-I., dated the 15th July 1895:—

"I am directed to refer to Mr. Lee Warner's letter No. 5447, dated the 1st September 1894, which discusses the question of reciprocity, in the matter of the execution of decrees passed in civil suits, between British Courts and Courts of Native States under the political control of the Bombay Government.

"2. The Bombay Government propose—

(*a*) to declare that Courts of Native States whose decrees may, under Section 229-B. of the Code of Civil Procedure, be executed by Courts in British India, must reciprocate by executing the decrees of all British Courts, whether in British India or established or continued in, or in respect of, foreign territory;

(*b*) that reciprocal execution of decrees should, wherever enquiry shows this desirable, be recognized and provided for between Native State Courts and Courts established or continued by the Governor-General in Council, in, or in respect of, Native States;

(*c*) that the Chief Courts of Native States should be required to execute the decrees of British Courts in cases where the latter exercise residuary civil jurisdiction in, or in respect of, territory outside British India; and that the fact of such execution should be certified to the Court of the Political Agent concerned; and

(*d*) that, in order to uphold the authority of the Native State, execution should be effected through the Talukdar or Chief; but that the Political Agent should have authority to enforce execution if necessary.

"3. With regard to proposals (*a*) and (*b*) I am to observe that the Governor-General in Council is of opinion that the Bombay Government should proceed by obtaining the consent of the States concerned to the execution by their Courts of the decrees of British Courts. There will, doubtless, be no difficulty in obtaining this consent because, if the States are unwilling to execute the decrees of British Courts, the British Government can decline to execute their decrees. With reference, however, to the proposal made in paragraph 5 of Mr. Lee-Warner's letter under reply, *viz.*, that action with respect to (*b*) should be left to the Bombay Government, I am to invite attention to the Notification by the Government of India in the Foreign Department, No. 2183-I., dated the 2nd July 1890, and to observe that considerable provision has already been made for the execution by British Courts established in Native States of the decrees of Courts of the Bombay Native States. There is no objection to adding to the list of State Courts contained in that notification other State Courts recommended for the privilege by the Bombay Government, but the Notification in question issued in exercise of the powers conferred by Sections 4 and 5 of the Foreign Jurisdiction and Extradition Act and those powers are conferred on the Governor-General in Council and not on any Local Government.

"4. The Government of India do not quite understand what is in fact contemplated by proposals (*c*) and (*d*). It appears to them that a decree passed in the exercise of residuary jurisdiction ought *primâ facie* to be executed under the direct authority of the Political Agent and that the Courts of Native States should only be permitted to execute such decrees—as a matter of favour, and in order to uphold the authority of the Native State—when the Talukdar or Chief voluntarily offers to do so, and for so long only as the duty is performed to the satisfaction of the Political Agent. The Government of India would, however, offer no objection to the suggestion by the Political Agent to such Chiefs as the Government of Bombay may think deserving of the privilege, that they should enter into an arrangement, under which execution of these decrees would be effected through the Chiefs, but without surrendering the authority of the Political Agent to enforce such execution himself in case of necessity."

RESOLUTION.—Copies of the above letters should be forwarded to the Political Agent, Mahi Kántha, for information and guidance, and should also be circulated to all Political Officers.

S. W. EDGERLEY,
Acting Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Mahi Kántha,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,

[*P. T. O.*

The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent to His Excellency the Governor at Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Poona,
The Collector and Political Agent, Násik.

No 893 of 1897
Camp Dhárwár
2nd February 1897

Copy forwarded to the Assistant Political agent for information.

INWARD No. 5-0
2ND ASST. COLLR DHARWAR.

R D Fisher
Collector & Political agent

CIRCULAR.

No. 5143 of 1887.

Political Department.

From

W. LEE-WARNER, Esq.,

Acting Secretary to Government,

Bombay,

To

(All POLITICAL OFFICERS).

Sir,

I am directed to inform you that His Excellency the Governor in Council has been pleased to limit the period for the presentation of applications for the exercise of his extraordinary jurisdiction to the same period as is allowed for appeals, viz., 90 days.

2. I am to request that you will take steps to make this decision known as widely as possible.

I have the honour to be,

Sir,

Your most obedient Servant,

Bombay Castle,
13th August 1887.

W. LEE-WARNER,
Acting Secretary to Government.

No 2722 of 1887
23 August/87
Copy to the Nawab Sahib of Savanur
Recd 25/8/87.
5
Recd in Mr Ingholt

Appeals.
Limitation of —.

No. 7678.

POLITICAL DEPARTMENT.

Bombay Castle, 23rd November 1887.

RESOLUTION OF GOVERNMENT.

With reference to Government Resolution No. 5739, dated 8th September, 1887, Political officers are informed that the rule therein laid down, limiting the period of appeals to the Government of India to 12 months, will come into operation from the 1st April 1888.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
All Political Officers.

No 3930 of 1887
Lyadar, 6 December 1887
Forwarded for information to the Nawab Sahib of Savanur.

Abdul Zubayr Khan

248

Native States.

Application to Political Courts of certain rules in force in Civil Courts.

No. 5071.

POLITICAL DEPARTMENT.

Bombay Castle, 27th June 1891.

Read again :—

Memorandum from the Judicial Department, No. 1647, dated the 18th March 1891—Transferring, for consideration, a letter No. 92, dated the 22nd December 1890, from the Chief Judge of the Court of Small Causes, who encloses copy of certain rules which have been applied to Civil Courts by Her Majesty's High Court of Judicature, and requests that similar rules may be made by Government with regard to Political Courts.

Memorandum from ditto ditto, No. 1783, dated the 24th March 1891—Transferring, in continuation of the above, a letter No. 25, dated the 12th idem, from the Acting Chief Judge of the Court of Small Causes, who encloses copy of an additional rule which has been applied by Her Majesty's High Court of Judicature to Civil Courts, and requests that a similar rule may be made by Government for Political Courts.

Letter from the Acting Political Agent, Káthiáwár, No. 428, dated the 23rd May 1891—Stating, with reference to Government Resolution No. 2352 of the 11th April 1891, regarding the proposal to apply to Political Courts certain rules in force in Civil Courts, that he sees no objection to the proposed rules, presuming that by "Political Courts" are meant Agency Courts as distinguished from Courts of jurisdictional Native States and Tálukás.

Letter from the Political Agent, Kolhápur and Southern Marátha Country, No. 187, dated the 9th June 1891—Reporting, with reference to Government Resolution No. 2352, dated the 11th April 1891, that the rules which the Chief Judge of the Bombay Small Cause Court has proposed should be made applicable to Political Courts are practically acted up to in all the Civil Courts in the Kolhápur and Southern Marátha Country States. Stating that he presumes the Courts meant by the Chief Judge are not only the Courts of Political Officers established by Government in Native States, but also Courts in Native States in alliance with the British Government. Observing that the application of the rules to the Courts of Political Officers is superfluous as they are governed by the provisions of the Civil Procedure Code, but that the Courts of Native States, which already follow the rules in their spirit, can be induced, if thought necessary, to formally introduce them.

RESOLUTION.—The rules proposed, *viz.* :—

"38 B. The Court to which a Commission is sent for the examination of witnesses at the request of one party may allow the other party, if leave has been given him to join in the Commission, to examine his witnesses, and may allow each party to cross-examine any witnesses examined by the other party.

"120 C. A Civil Court to which a summons has been sent for service, should make a return within the time fixed by the summons for the hearing of the cause, stating whether the summons has been served or not, and, if not, the reason for the non-service.

"120 D. If a Court to which a summons has been sent for service, be satisfied that the defendant is intentionally avoiding service, such

Court shall itself direct substituted service to be effected in such manner as it thinks fit under the provisions of the Code of Civil Procedure without further reference to the Court issuing the summons."

may be made applicable to all Courts established or continued by the Governor-General in Council in Native States, that is to say to all Political Courts. The several Agents may recommend any rulers or administrators of Native States to introduce similar rules into any Native State Courts to which processes or commissions from British Courts may be sent.

2. The Agent to the Governor General, Baroda, should be invited to address the Foreign Office in order to secure the introduction of the rules into the Baroda Courts established by the Governor-General in Council.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent to His Excellency the Governor, Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Poona,
The Collector and Political Agent, Shikárpur,
The Collector and Political Agent, Násik,
The Agent to the Governor General, Baroda (by letter),
The Judicial Department of the Secretariat.

No. 4538 of 1891
3rd August-July, 1891
Copy forwarded to the Nabab of Savanur with the Compliments of the undersigned.
It is recommended that similar rules may be introduced into his state courts.

E. Fay.
Dist. Magistrate

CIRCULAR.

No. 2062.

POLITICAL DEPARTMENT.

Bombay Castle, 16th March, 1888.

The Governor in Council is pleased to direct that all appeals which are presented to Political Agents for transmission to Government, should be forwarded, and that the Political Agents if they consider them inadmissible on any ground should state their reasons. They should also point out to appellants formal defects in the appeals such as absence of a copy of a judgment appealed against and the like, with a view to their being supplied before the petition is definitely accepted.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent for Sardars in the Deccan,
The Agent to His Excellency the Governor, Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Poona.

No. 1212 of 1888
Honnatti 27th March 1888
Copy forwarded for information to the Nawab Saheb of Savanur.

Attested
28/3/88

[illegible]
For Collector and
Political Agent.

No. 6790.

POLITICAL DEPARTMENT.

Bombay Castle, 12th October 1888.

RESOLUTION OF GOVERNMENT.

The following Rules which have been made by the Governor in Council, with the concurrence of the Honourable the Chief Justice and Judges of Her Majesty's High Court of Judicature of Bombay, should be communicated to Political Officers with instructions to notify them within their respective charges. They should also be published in the *Bombay Government Gazette* for general information.

Rules for the Examination of subjects of Native States who are Candidates for Sanads to practise as Pleaders in any of the Courts in the Native States within the political supervision of the Government of Bombay, which have been established by the authority of the British Government, or are presided over by Officers appointed by the British Government.

1. An examination of candidates for sanads to practise as Pleaders in any of the said Courts will be held annually in the month of February or March, or at such other convenient time as may be determined by the High Court, on a date of which due notice will be given in the *Government Gazette*. There will be two standards of proficiency, the examinations for which will be held simultaneously, but with different papers for each standard. Success in the examination according to the Higher Standard will, from such date as the Governor in Council hereafter fixes in this behalf, be recognized as a test for candidates for judicial office in the lower grades of the said Courts, and will also entitle to sanads to practise as Pleaders in the said Courts; while success in the examination according to the Lower Standard will entitle to sanads to practise as Pleaders only in the said Courts.

2. The examinations will be conducted by a committee appointed by the Honourable the Chief Justice and Judges of Her Majesty's High Court. Each candidate desiring admission must submit, in writing, through the Political Agent of the State of which he is a subject, a separate application addressed to the Secretary to Government, Political Department.

3. Any subject of any Native State within the Political supervision of the Government of Bombay, desirous of qualifying himself for any of the above offices, may be permitted to be examined at any such examination, provided he has not been prohibited from appearing by any former Committee, and provided he shall, on or before the first day of February preceding the examination, have transmitted to the Secretary to Government, Political Department, with his application satisfactory certificates (dated not earlier than the 1st October immediately preceding the examination) to the following effect:—

(*a*) that he is a subject of a Native State within the Political supervision of the Government of Bombay, together with the place of his birth, and his exact age, which, at the date of the examination, must be more than twenty-two years;

(*b*) that he can speak, read and write, with ease and correctness, one of the vernacular languages which are spoken in the Native States of the Bombay Presidency, *viz.* Maráthi, Gujaráti and Kánarese;

(*c*) that he is of good moral character;

and provided that he has paid a fee of Rs. 15, for which a receipt will be furnished by the Assistant Secretary to Government, Political Department. (The fee will be returned if the candidate's certificates are not considered satisfactory.

If the candidate, before the beginning of the examination, satisfy the Secretary to Government, Political Department, that he is unavoidably prevented by sufficient reasons from presenting himself for examination, the fee will be reserved, and will be available for the next examination.)

4. The certificates mentioned in para. 3 may be signed by any Political Officer of the Government of Bombay or by any officer of a Native State under the Political supervision of the Government of Bombay and countersigned by a Political Officer of the Government of Bombay.

5. A candidate who has once been admitted to the examination under these or previous rules will, subject to the provisions of Rule 13, be allowed to appear again on production only of the certificate of good moral character required under Rule 3 (*c*), and on payment of the fee required by that rule.

6. In cases in which the eligibility of a candidate in respect of age or character appears doubtful, such inquiries as may be necessary will be made by the order of Government, in the Political Department, which will pass final orders in the case.

7. The Secretary to Government, Political Department, will publish in the *Government Gazette*, at a reasonable time before the date fixed for the examination, a list of the candidates whose applications have been admitted, and a copy of this list will be sent, under the signature of the Secretary to Government, Political Department, to the Registrar of the High Court of Bombay.

8. The examination will be conducted in writing (and if necessary *vivâ voce* also) in the English language, want of proficiency in which, as shown in the candidate's answers, will be held to disqualify him.

9. In each standard six papers will be set to the candidates, as follows; the maximum number of marks obtainable is shown opposite each subject :—

I.	Hindu and Mahomedan law	100
II.	The Laws of Civil Procedure and Limitation ...	100
III.	The Law of Contracts and Torts	100
IV.	The Law of Specific Relief, Transfer of Real Property, Mortgage and Trusts	100
V.	The Law of Evidence, Registration, and Stamps...	100
VI.	Criminal and Police Laws	100

10. In addition to the Acts and Regulations and the Reports of the High Courts, the following Text-books are recommended, the examiners, however, not being in any way confined to these Text-books in setting their questions :—

Mayne on Hindu Law and Usage.
West and Bühler's Digest of Hindu Law.
Macnaghten's Principles and Precedents of Mahomedan Law.
Field on the Law of Evidence in British India.
Cunningham's Commentaries on the Indian Evidence Act.
Cunningham's Commentaries on the Indian Contract Act.
Collett on Torts.
Smith's Equity Jurisprudence or Snell's Principles of Equity.
Broome's Legal Maxims.

11. In order to pass the examination according to either standard the candidate must obtain at least 30 per cent. of the marks obtainable in each paper and 60 per cent. of the aggregate number of marks obtainable in all the papers.

12. A list of successful candidates, arranged in the order of merit, in the Higher and Lower Standards, respectively, will be published (in the *Government Gazette*) under the orders of Government in the Political Department.

13. If the Committee are of opinion that any candidate has come up for examination without due preparation, they may prohibit his appearing at the next examination.

14. Each candidate who has passed the examination according to the Higher Standard may, on application, have his name entered on a list of Candidates for judicial offices in Courts of the lower grades in Native States within

the Political supervision of the Government of Bombay, established by the authority of the British Government or presided over by officers appointed by the British Government. Each candidate, who has passed the examination according to either standard, may, on application and payment of a fee of Rs. 5, receive a sanad authorizing him to practise in such one or more of the said Courts as Government in the Political Department may determine.

15. The Governor in Council may, in consideration of the particular merits of an applicant in the public service or other special reasons, dispense with any of the rules herinbefore prescribed as to the qualifications for admission to the examination.

16. These rules will come into force on, and after, the 1st April 1889.

17. Certificates will be granted to the successful candidates in such form as the Examination Committee shall deem proper.

18. No appeal will be allowed by any candidate against the results of the examination as declared by the Examination Committee.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
All Political Officers,
The Judicial Department,
The Registrar of Her Majesty's High Court, Bombay (by letter).

No 4204 of 1888
22nd October 1888

Copy forwarded for information and guidance to the Nawab Sahib of Savanoor.

[signature]
for ag Collector & Pol: agent

Recd. 29-8-89

Recorded 15-1-90

CIRCULAR.

No. 365.

POLITICAL DEPARTMENT.

Bombay Castle, 16 January 1889.

Considerable delay and additional work is involved in the practice, which is beginning to increase, of petitioners and appellants transmitting their memorials direct to Government instead of sending them through the Political officer who represents Government on the spot, and whose report on them is invariably required by Government.

2. By Government Resolution No. 1838, dated 24th March 1885, Chiefs were informed that every claim and representation must be made through the Political Agent in writing. By Government Resolution No. 6420, dated 24th September 1888, the orders contained in Government Resolution No. 2897, dated the 26th of May 1874 were revived, which require that Chiefs should address Government in their own names and not through Agents.

3. Government are now pleased to direct that all appeals or memorials to them should be transmitted through the same channel as that laid down above; and at the same time the orders contained in Circular No. 2062, dated 16th March 1888, and No. 4762, dated 14th July, which require Political Agents to transmit all memorials in civil suits, political cases, &c., that are addressed to Government, are so far modified that each Political Agent is authorised to refuse to forward any memorial where the memorialist has already received a reply from Government that was stated to be final, and no fresh grounds of appeal are adduced, or where a distinct rule precludes a further appeal to Government. In such cases a monthly list of memorials so held back or returned, with a statement showing the rule relied on or the grounds of refusal, should be furnished to Government in this form :—

State.	Memorialist's name.	Date of memorial.	Subject.	Reason for holding it back.

G. Keesari

Secretary to Government.

To

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Superintendent, Pálanpur,
The Political Superintendent, Sávantvádi,
The Agent for Sardars in the Deccan,
The Agent to His Excellency the Governor at Surat,
The Collector and Political Agent, Khándesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Poona.

No. 385

Irundargi 24th January 1889

Copy forwarded to the Nawab Saheb of Savanur with the compliments of the undersigned.

Herewith

ag Collector and Pol: Agent.

Recd 26/1/89.

Filed dated 27th January 1889.

N. Nawab Saheb.

Native States.

Examination of subjects of — who are candidates for sanads to practise as Pleaders in British Courts in —.

No. 593.

POLITICAL DEPARTMENT.

Bombay Castle, 23rd January 1889.

Letter from the Acting Registrar, High Court, Appellate Side, Bombay, No. 73, dated 18th January 1889—Stating, in reply to this Department letter No. 8002 of the 3rd ultimo, that the Honourable the Chief Justice and Judges have no objection to the subjects of Native States, who are candidates for sanads under the new rules, appearing for the Pleaders' Examination to be held on the 4th March 1889, and that the said new rules may be made applicable to the said examination.

RESOLUTION.—It should now be notified, with reference to paragraph 2 of Government Resolution No. 8001, dated 3rd December 1888, that the rules in Government notification No. 6792, dated 12th October 1888, should be regarded as already in force, and that the first examination under the rules will be held on 4th March 1889.

2. The time for sending in the certificates referred to in Rule 3 should be extended to the 14th day of February for this first examination only.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Agent, Káthiáwár (with a request that he will communicate purport to petitioners Kanjee Nathoobhai Tank and another, referred to in Government Resolution No. 8001, dated 3rd December 1888),
All other Political Officers,
The Judicial Department of the Secretariat,
The Registrar of Her Majesty's High Court, Bombay (by letter),
The Editors' Tables, Bombay, Poona and Dhárwár (with copies of Resolutions No. 6790, dated 12th October 1888, and No. 8001, dated 3rd December 1888).

NOTE.—The notifications will appear in the next *Government Gazette*.

No 623 Dawari 4 February 1889

Copy forwarded for information to the Nawab of Savanur with the Political Agent's compliments. Relevant

Recd 5/2/89

12

to Collector and Pol. Agent

[illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

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[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Native states — Examinations.

Relating to the fees to be levied in Political Agencies for the grant to pleaders under No 14 of the rules contained in Government Resolution No 6790, dated the 12th October 1888.

No. 5889 of 1895.

Political Department.

Bombay Castle, 23rd September 1895.

Read again Government Resolution No 2200, dated the 1st April 1895 — directing the insertion of the words 'to the Political Agent' after the word 'applications' in the two places where it occurs in rule 14 of the rules contained in Government Resolution No 6790 (or Government notification No 6792), dated the 12th October 1888; and the substitution

the prescribed fee as notified by the Political Agent with the approval of Government; for the words "a fee of Rs" substituting all Political officers and the other officers to whom the rules of 1888 were sent of the above addition and alteration, and requesting the Political officers other than the Political Agent Kathiawar to submit proposals as to the amount of the fee to be hereafter levied in their respective agencies.

Letter from the Collector and Political Agent, Hasik, No 2944, dated the 12th April 1895 — Reporting, with reference to Government Resolution No 2200 of the 1st April 1895, that it is unlikely there would be any aspirant for examination from the Sargana state; and stating that he therefore thinks it unnecessary to submit his proposals as regards Surgana.

Endorsement from the Commissioner, S.D.,

No Pol. 79, dated the 19th April 1895 — forwarding

the above.

Letter from the Collector and Political Agent

Kolaba, No. 3421, dated the 3rd June 1895 — stating

with reference to Government Resolution

No. 2250, dated the 1st April 1895, that the Nawab

of Janjira has full jurisdiction in civil

and criminal matters within his dominions

and that there are no courts in that Agency

to which the rules in question apply, and

that he has therefore no proposal to make

in respect of the fee to be levied under

rule 14 of the rules published under Govern-

ment Notification No 6792, dated the 12th October

1888.

Endorsement from the Commissioner, S.D.,

No. 205, dated the 12th June 1895 — Fwd-

warding the above.

Letter from the Collector and Political Agent

Poona, No. 2082, dated the 3rd May 1895

stating with reference to Government Resolution No 2200, dated the 16th April 1895, that he has no proposals to submit relative to the fee to be levied in the cases in question, as there are no courts in the native state of Bhor under his control which have been established by the authority of the British Government or are presided over by officers appointed by the British Government.

Endorsement from the Commissioner, C.D., No. 1720, dated the 2nd July 1895, forwarding the above.

Memorandum from the Collector and Political Agent, Thana, No 4026, dated the 27th [illegible] stating with reference to Government

Resolution No 220 dated the 1st April 1895,

that the rules in question do not appear to

apply to Thana agency, as there are no courts

in the Jawhar state established by the authority of

or presided over by officers appointed by the

British Government.

Letter from the Collector and Political Agent

Kaira, No 1197, dated the 10th April 1895 — Reporting, with reference to Government Resolution

No 220 dated the 1st April 1895, that he has no

proposals to submit in reference to the amount

of fees to be charged for the grant of sanads

to barristers, &c, wishing to practise in the

agency courts, as Cambay is a 1st class and

therefore full jurisdiction state.

Endorsement from the Commissioner, Rajpipla

15 No 399, dated the 29th June 1895 — Forwa

above

Letter from the Political Agent Rewa Kantha,

No $\frac{544}{39}$, dated the 13th April 1895 — stating with

reference to Government Resolution 2200 dated

1st April 1895, that there are no rules in force

for the examination and admission of pleaders

to practise in the Courts of that Agency, nor

does it seem desirable to make any such

rules at present as there is comparatively

little civil work.

Endorsement from the Commissioner, R.D.,

No 400 dated the 29th June 1895 — Forwarding

the above in continuation of his office No 399,

dated the 29th idem.

Letter from the Political agent, Cutch No 707

dated the 12th June 1895 — stating, in reference to

Government Resolution No 2200 dated the 1st April

1895, that as there are no qualified persons in that agency under the rules of 1888, and no applications from such have ever been received to practise as pleaders in that agency

Question, there does not appear to be any necessity to prescribe a scale of fees to be levied.

Letter from the Political Agent, Mahi Kantha, No 1657, dated the 8th May 1895 — stating with reference to Government Resolution No 2200 dated the 1st April 1895, that after careful consideration he has come to the conclusion that there is no objection to adopting for that agency the rules contained in the Kathiawar Agency Notification No 26 dated the 19th of May 1894, in their entirety.

Letter from the Collector & Political Agent Satara No 179 dated the 6th May 1895 —

6

stating, in reference to Government Resolution No 2200 dated the 1st april 1895, ~~that after careful~~ consideration his opinion that a fee of Rs 5 will be sufficient to be levied in that agency under rule 14 of the rules of 1888.

Memorandum from the Commissioner in Sind No 346 dated the 1st July 1895 — Observing, with reference to Government Resolution No. 2200 dated the 1st april 1895, that the rules in question are not likely to be any use in Sind; that ~~in the very rare instance of a case~~ there is no Political Court established in any native state; that in the very rare instance of a case occurring in the court of the Political Agent, Khairpur, that officer will at his discretion permit the appearance of any person who has been duly invested with authority to practise in the Sind courts; ~~and that in fact~~ the only rule that

and such fees in the Courts of Law. Opinions

[illegible] the mode would be that (on the analogy

of the latter part of Section [illegible]) authorized pleaders

in such should be granted permission to appear

in the Political Agent's Court [illegible]

petition or appeal on payment of a fee of Rs

in each case; but that cases at present seem

too rare to justify the rule which would probably

become obsolete from want of use.

Letter from the Agent to His Excellency the Governor

at Surat, No 378 dated the 25th June 1895, — Reporting

with reference to Government Resolution No 2200

dated the 1st April 1895, that he is of opinion that

if any fee is levied it should be Rs10 for a

General license to plead in the Surat agency

and Rs5 for a special license. Requesting a

reference to his letter No 482 of the 13th July 1893

to the Commissioner, N. D., and observing that cases

are very few in the courts of that agency except those from Sachin in which the direct administration is exercised by Agency officers, giving it as his opinion that to demand a separate sanad for practising in Agency courts will cause hardships and dissatisfaction and is not necessary under the circumstances.

Endorsement from the Commissioner, N.D., No.401 dated the 29th June 1895 - Forwarding the above in continuation of his office No 400 dated the 29th June 1895 and adding that the Agent's letter No 482 dated 13th July 1893 was submitted to Government with the Commissioner's letter No 650 dated 11th October 1893.

Letter from the Acting Collector and Political Agent Sholapur No 1391 dated the 27th April 1895.

Letter from the Collector & Political Agent Khandesh, No 4368 dated 26th June 1895.

Submitting with reference to Government Resolution No 2200 dated the 1st April 1895, their proposals

Endorsement from the Commissioner, C.D., No pol. — 126, dated the 2nd July 1895 — Transmitting the above two reports.

Letter from the Political Agent Kolapur & Southern Maratha Country, No. 189 dated the 20th June 1895.

Letter from the Political superintendent Palanpur No 2130 dated 13th July 1895.

Endorsement from the commissioner N.D., No 442 dated the 18th July 1895 — Forwarding the above reports in continuation of his office No 401 dated 29th June 1895.

Letter from the Political Superintendent Savantwadi No 2035 dated the 12th June 1895.

Endorsement from the commissioner S.D., No pol-220 dated the 24th June 1895 — forwarding the above report.

Letter from the collector & Political Agent Dharwar No 5007 dated 17th July 1895.

[illegible] fees to be levied for sanads granted by them to native state pleaders wishing to practise in the Political Courts of their respective jurisdictions.

Endorsement from the Commissioner, S.D. & C.D.

261 dated the 24th July 1899.

Resolution. — Having regard to the different conditions obtaining in the various Agencies, uniformity in the scale of fees to be levied for sanads granted to pleaders is necessarily impracticable. It is clearly unnecessary to prescribe any fees in Political Agencies where there is no probability of candidates appearing for the examination. Consequently no fee need be fixed in the Nasik, Kolaba, Poona, Thana, Kaira, Rewa Kantha and Cutch Agencies. Nor is there any apparent necessity for prescribing fees in Sind or the Surat Agency where the practice of the agency courts is assimilated to that of the British Revenue & Magisterial courts.

2 As regards the remaining agencies, the collector and Political Agent, Salara, considers it sufficient to levy a fee of Rs. in the two smalls states in that agency. The collector & Political agent Khandesh proposes the same fee for the Dangs. The Political Agent, Mahi Kantha, sees no objection to adopting for that agency the rules contained in the Kathiawar agency notification No 26 dated the 19th May 1994, in their entirety. There is said to be no distinction in Mahi Kantha as in Kathiawar in the class of Vakils, under which the practice of some is confined to the grant courts while others are allowed to plead in all courts. Clause (c) of rule 5 will therefore disappear from the notification 19 to be issued from that agency. And rules 9

and 12 will also be omitted as unnecessary.

Some minor clerical alterations are necessary to adapt the Kathiawar notification to the Mahikantha agency as shown in the draft notification submitted by the political agent for the approval of government. The political agent also suggests that the year should be the official year and that fees should be levied under the rules in question from the 1st April 1895. The political superintendent, Savantvadi, proposes a fee of Rs25 for the sanad authorizing its holder to practise in the courts of that superintendency. In consideration of the small incomes derived by pleaders at present practising in the superintendency courts in the Savantvadi state, Colonel Hutt is not disposed to recommend the levy of any annual fees for the continuance of

the sanads to those persons to whom they may henceforth be granted. The Political Agent, Kolhapur and Southern Maratha Country, proposes that the following scale of fees be levied in that agency:—

Admittance fees.

(1). On sanads authorizing a pleader to practise in all the courts of the Agency. Rs 30

(2). On sanads authorizing a pleader to practise in the courts of the Assistant Political Agents 20

The Political Agent also recommends that annual fees of similar amounts respectively be levied on the above sanads; and that Mukhtiyars appearing on powers of attorney be required to pay a fee of Rs 3 in each suit in which they may be engaged. The Collector

and political agent Dharwar, proposes on the ground that uniformity with the neighbouring states should be maintained the same ~~sela~~ scale as the political agent Kolhapur and Southern Maratha country. The Acting collector and Political Agent, sholapur, reports that at present the pleaders practising in the Political Agent's Court pay no fees, and he proposes, as the practice obtainable in that agency is not so large as in Kathiawar, that fees equal to half of those charged in the Kathiawar agency be prescribed for the various classes of authorized practitioners, and translators. The Political Superintendent Palanpur, submits the following scale of fees for that superintendency.

	Rs
For all barristers and advocates of the High Court of Bombay	50
(1) Attorneys at law of the High Court of Bombay	30
(2) Pleaders of the High Court of Bombay.	
(3) Persons holding the degree of bachelor of Laws of the university of Bombay	

(1) Persons who have passed an examination under Government notification No 6782 dated the 12th October 1888. — Rs 30

(2) Registered Court-pleaders from Ahmedabad &c.

(Provided also that any one member of the bar or anyone of the pleaders above mentioned may at the discretion of the court having jurisdiction be granted permission to appear as a pleader or may draft a petition or appeal in any particular case on payment of a fee of Rs 5 notwithstanding the fact of his not having obtained a general sanad).

For all local pleaders who are practising in the court of the Political superintendent and the courts subordinate to it.

For all pleaders practising only in the Thana courts. —

For authorized translators —

3 The fees proposed by the respective Political Agents, as mentioned in the above paragraph, are approved, as also the draft notification submitted by the Political Agent, Mahi Kantha. Government are, however, unable to approve the suggestion of the Political Agent, Kolhapur and Southern Maratha Country, and the Collector and Political Agent, Dharwar, that a fee of Rs 3 should be levied from Mukhtiyars in each case in which they may be engaged.

G. W. Vidal
Ag Chief Secretary to Government.

The commissioner in Sind,
&c &c &c.
The Collector & Political Agent Dharwar.

No 7027 Dharwar.

30 September 1895.

Copy forwarded for information and guidance

To the Asst: Poll: agent.

J. Fairlie Innes,

Poll: agent

No 258 Dharwar

12th October 1895.

Forwarded to the Dewan of Savanur for information & guidance.

To be returned

A. Lucas

A.P.A. Savanur

No. 22 of 1895-96.

Savanur 21st of October 1895.

Returned with Compliments.

2 I beg to state that a copy of the resolution has been taken and placed on record for reference.

Dewan of Savanur

Civil Appeals.

Complete lists to be furnished of proceedings in

No. 565.

POLITICAL DEPARTMENT.

Bombay Castle, 22nd January 1896.

CIRCULAR.

Political Agents are requested to forward, with the record in civil appeals and applications to Government, complete lists in English of all the papers and proceedings in each case. In order to facilitate the proper preparation of such lists and to otherwise regulate the practice in the Courts subordinate to the Agencies, those Courts should be directed to keep books, diaries and registers in the form and in the manner prescribed at pages 40, 41, 42, 43, 249, 252 and 255 of the Circular Orders issued by the High Court of Bombay for the guidance of the Civil Courts and Officers subordinate to it.

G. W. VIDAL,
Acting Chief Secretary to Government.

To

All Political Agents (except the Political Resident, Aden).

No. 74 Camp Baneli 29 January 1896.
Copy forwarded for information & guidance to the Diwan.

J. Fairlie Miller

Ut
3719 Lat 23

By translating the Circular into vernacular, the copy is given to the Divanic Daftar for record and the circular is disposed of in the English file.

Dated 31st January 1896.

Divan Lavanoor.

and to otherwise regulate the pr

subordinate to the Agencies, those

ed to keep books, diari

(41, 42, 43, 249, 252, 253

issued by the High Court of B

Lance in the Civil Courts and

(Govt Pleader (Legal Advisor.

(S

Acting Ag

24

Assistant Political Agent.

No. 53 of 1895/96.

Darvaza Bagh, 1896.

[illegible] in the file and a true translation is given to the [illegible] clar.

Compliments to the Assistant Political Agent-Chanjar.

Diwan Sarawar

Civil Appeals.

Political Department

Political Agents are requested to furnish, in civil appeals and applications to Government, complete lists in English of all the papers and proceedings in each case in order to facilitate the proper preparation of the minute.

F.

All Political Agents (except the Political Resident Aden).

Camp Naveri 29 January 1896

Copy forwarded for information and guidance

Political Agent

No 25 Camp Yafas 1st February 1896.

Political Agent.

No 1306 of 1896.

Political Department.

Bombay Castle 17th February 1896.

Memorandum.

Government Resolution No 878, dated the 1st Feby 1896, relative to certain information required regarding appeals received by Government from decisions of Agency Courts.

The undersigned presents compliments and has the honour to request that the Collector & Political Agent Dharwar will be so good as to expedite the transmission of his reply to the reference noted in the margin.

(Sd) F. A. Spencer.
For ag. Chief Secretary to Govt

No 1274 Camp
22nd March 1896.

Forwarded to the Assistant Political Agent for compliance with reference to my letter No 1016 dated 10th Instant.

(Sd) J. Fairlie Muir
Collector & Political Agent

Below Poll: Agent's No 1274 of 22nd February 1896

No 41 Camp Dharwar.
24th February 1891.

Forwarded to the Divan of Savanur for early compliance with reference to this office No 32 of 13th Inst

(Sd) A. Lucas
Assistant Poll: Agent

No. 69 of 1895/96

Gavanur 12th March 1896.

Returned with compliments to the First Assistant Collector & Assistant Political Agent.

I beg to state that the information called for ~~required~~ has been sent up with my office No 67 dated 7th March 1896.

Diwan of Gavanur.

Application for the Exercise of Extraordinary

Jurisdiction No. 33 of 1896.

Sholapur.

Hirachand Benichand Gujar of Akalkot } applicant Original judgment-creditor.

Vs.

Martandrao bin Jeshwantrao Naik Nimbalkar of Bagehalli } Opponent. Original judgment-debtor.

No. 3292.

Political Department.

Bombay Castle, 19th May 1896.

Letter from the Political Agent, Sholapur, No 1196, dated the 2nd April 1896 — Submitting for the orders of Government, an application, dated the 22nd November 1895, from Hirachand Benichand Gujar of Akalkot for the exercise of extraordinary jurisdiction in the matter of a decision of the Political Agent's Court, dated the 16th August 1895, regarding a dispute about a money claim.

Forwarding also the proceedings, together with a

rejoinder from the opposite party.

Memorandum from the commissioner, C.D., No Pol. -98, dated the 8th April 1896 - Forwarding the

Resolution.— The applicant should be informed that there are no grounds for the intervention of Government on his behalf. His application is therefore rejected.

2. It should be pointed out to the Political Agent that the opponent has been put to the unnecessary expense of preparing a rejoinder to this application. No rejoinder should ever be called for to applications for the exercise of the extraordinary jurisdiction of Government, except under the express orders of Government. The Political Agent's attention should also be directed to paragraph 2 of Government Resolution No 4583 of the 16th July 1892, under which it was not

necessary for him to give notice to the parties of the hearing of the appeal disposed of by his order of the 16th August 1895, unless on receipt of the appeal and examination of the record he saw reason for holding that injustice had been done. Apparently in the present case, the Political agent was satisfied that complete justice had been done as between the parties both in the Court of first instance and by the Raja.

3. The procedure prescribed by the Resolution of the 16th July 1892, should be followed in future cases.

C. C. K. Allisvant:

Acting chief secretary to Government

To, - The Commissioner, R. D.,

— do , C. D,

do — S. D,

The Political agent, Sholapur (with the record & proceedings.).

27.

All other Political officers (except the Political Resident, Aden) (with reference to the first two sentences of para 2.).

No 3743 Bharawar. 28 May 1896.

Copy forwarded for information to the apptt:

Poll: agent

L. G. Hatch
Head clerk
for Poll: agent

No: 84 Bharawar
30th May 96

Forwarded in original to Rao Bahadur Sivam Savanur for information

K B Hoft.
for Poll: agent.
Savanur.

No: 80/2 of 1895-96

Savanur 3rd June 1896

Returned with perusal to the Poll. agent Savanur state with the compliments of the undersigned.

[illegible]
for Diwan of Savanur.

Native States—Examinations.

Authorising Political Agents to grant Sanads to Pleaders to practise in their respective Agency Courts, without previous reference to Government.

No. 5011.

POLITICAL DEPARTMENT.

Bombay Castle, 13th August 1897.

Letter from the Political Superintendent, Sávantvádi, No. 2134, dated the 2nd July 1897—Forwarding, as directed in Government Resolution No. 2297, dated the 27th March 1896, for the information of Government, copy of a Sanad granted to Mr. Shridhar Atmaram Naik to practise as a Pleader in the Sávantvádi State.

RESOLUTION.—The Political Officers to whom Government Resolution No. 2297, dated the 27th March 1896, was addressed should be informed that they need no longer submit, for the information and approval of Government, copies of Sanads granted by them as therein laid down.

S. W. EDGERLEY,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Political Superintendent, Sávantvádi,
All other Political Agents (except the Political Agent, Khairpur),
The Judicial Department of the Secretariat,
The Registrar of Her Majesty's High Court of Judicature, Appellate Side, (by letter).

No. 7189 Dharwar
24 August 1897.

Copy forwarded to the Assistant Political Agent for information and guidance.

INWARD No.
23 AUG 97
2ND ASST COLLR DHARWAR

R. Dikshit
Head Clerk

Filed.

Civil Appeals.

Rejoinders not to be called for on appeals to Government without express orders of Government.

No. 3181.

POLITICAL DEPARTMENT.

Bombay Castle, 18th May 1897.

CIRCULAR.

It is noticed that appellants are sometimes put to the unnecessary expense of preparing rejoinders to their appeals to Government and that the submission of appeals is consequently delayed. Political Officers should accordingly be informed that rejoinders should not be called for except under the orders of Government.

S. W. EDGERLEY,
Secretary to Government.

To

All Political Officers (except the Political Resident, Aden).

No 4036 of 1897

26 May 1897

Copy forwarded for information & guidance to the Assistant Political Agent.

INWARD No. 179 25 MAY 97 2ND ASST. COLLR. DHARWAR.

INWARD No. 2ND ASST. COLLR.

Head-clerk

Civil Second Appeal No. 25 *of* 1897.
Sávanur.

Mahomed Saheb walad Peer Mahomed Haji *alias* Shekji Saheb of Sávanur. } *Special Appellant* (*Original Plaintiff*).

vs.

Abdul Tabrejakha Saheb Furjand Abdul Dilavarkha Saheb of Sávanur. } *Special Respondent* (*Original Defendant*).

No. 4690.

POLITICAL DEPARTMENT.

Bombay Castle, 28th July 1897.

Memorandum from the Political Agent, Sávanur, No. 5265, dated the 13th July 1897—Submitting, for the orders of Government, a memorandum of special appeal, dated the 5th June 1897, from Mahomed Saheb walad Peer Mahomed Haji *alias* Shekji Saheb of Sávanur, against a decision of the Political Agent, Sávanur, dated the 5th February 1897, in Civil Appeal No. 3 of 1897.

RESOLUTION.—The appeal is dismissed as time-barred.

S. W. EDGERLEY,
Secretary to Government.

To

The Political Agent, Sávanur (with a request that he will communicate this decision to the parties concerned).

No 6792 of 1897.
4 August 1897.

Copy forwarded to the Assistant Political Agent, for information & for communication to the Diwan.

[illegible]
Political Agent.

No 332/12-8-97 [illegible] No Rev. 468 of 1897
Rom. 9th August 1897

Forwarded to the Collector and Political Agent Dharwar as the Assistant Political Agent's charge during the absence of Mr. Anderson on privilege leave is with him.

[illegible]
1st Dy. Collector Geh. I
and Asst Collector

Civil Second Appeal No. 27 *of* 1897.

Sávanur.

Ramchandrappa bin Irappa Tatti of Sávanur. { *Special Appellant* (*Original Defendant*).

vs.

Venkapa bin Shinapa Betigeri of Sávanur... { *Special Respondent* (*Original Plaintiff*).

No. 6448.

POLITICAL DEPARTMENT.

Bombay Castle, 20th October 1897.

Memorandum from the Political Agent, Dhárwár, No. 7574, dated the 7th September 1897—Submitting, for the orders of Government, a memorandum of Special Appeal, dated the 24th August 1897, from Ramchandrappa bin Irappa Tatti of Sávanur against the decision of the Political Agent, Sávanur, dated the 9th June 1897, in Civil Appeal No. 9 of 1897.

RESOLUTION.—No second appeal lies in a case such as that now submitted. The appeal is rejected.

S. W. EDGERLEY,
Secretary to Government.

To

The Political Agent, Dhárwár (with a request that he will communicate this decision to the parties concerned).

INDI... CO...

No. Dharwar
October 1897

Copy forwarded to the Assistant Political Agent for information.

Head clerk

No 190 of 1897

29 August 1897

Forwarded to the Diwan of Savanur for information and return.

Recd 31-8-97.

No. 8 of 1897-98

Savanur 30th Aug 1897 Asst Pol Agent

Returned with compliments to the Assistant Political Agent.

I beg to state that a copy transcribed from the original has been placed on record. 249 32

Diwan of Savanur

Limitation.

Relative to the method of computing the time to be excluded in the case of appeals & applications under Section 12 of Limitation Act 1877.

No. 6579.

Political Department.

Bombay Castle, 22nd November 1878.

Circular.

The attention of Political Officers is drawn to Section 12 of the Limitation Act (Act XV of 1877) and to the ruling in the case of Bechi vs. Ahsanullah I.L.R., 12 All 461 (Full Bench), viz;

"A court, in computing, under Section 12 of the Limitation Act, 1877, the time requisite for obtaining a copy of a decree or of a judgment, has no discretion, and is confined to ascertaining for the purposes of such computation the time occupied by the office, after application made in preparing the estimate, and after payment of the amount of the estimate has been made, the time occupied by the office in preparing

the copy or copies ready to be delivered to the party who had applied for them."

In accordance with the principle there laid down, in computing the time requisite for obtaining a copy, the date on which the application reaches the Court, and not the date on which it may have been forwarded or posted, should be taken as the starting-point of the period to be deducted, and the period is determined when the copy is ready for delivery, not when the appellant or applicant chooses to apply for it.

In cases, however, where the above method or computation may operate harshly, e.g. where the appelant or applicant lives at a distance from the court and the interval between the date when the copy was ready for delivery and the date of its delivery to him is not due merely to want of diligence on his part in applying for or obtaining the copy, it is open to the court to whom the appeal or application is made to admit it, although presented beyond the

prescribed period of limitation, under section 5 of the Act, on being satisfied that the appellant or applicant had sufficient cause for not presenting it within such period.

2. Government are inclined to think that the adoption in future of the above principle in the case of all appeals & applications made to Government from the Courts of Political Officers would be desirable and prevent some abuses which have come to notice in the past, where parties have unreasonably delayed taking delivery of copies after they are ready. But before issuing any general direction to that effect, Government desire to be furnished with information as to the practice followed in Political Agencies & Superintendencies in furnishing copies of decrees or judgments applied for &c &c. whether payment is made for such copies on an estimate in advance, or a fixed sum is deposited from which the cost of making the copies is deducted; whether parties receive any notice that copies applied for are ready, and if so, in

in what manner such notice is given, & whether the copies are sent to the parties or kept till they apply for them. It must be borne in mind that if the principle as above stated is to be extended to the Agency political & Civil courts' practice in these matters should as far as possible be such as to avert any hardship in the great majority of cases, & in reporting on the subject Political Officers should state how they would propose to give reasonable effect to the principle in question, by improving the existing arrangements for furnishing copies or otherwise.

3. In any case it seems desirable that Government should reserve to themselves a discretion such as High Courts exercise in reference to applications under sections 622, Civil Procedure code, to admit at any time appeals or applications otherwise time-barred, whenever the interests of justice require it. It should be reported what alteration would be necessary in the Limitation Law in force in each Agency or Superintendency in order

to give effect to this proviso.

(sd) S. W. Edgerly.
Secretary to Government.

To, The Commissioner in Sind,
ditto, N. D.
ditto, C. D.;
ditto S. D.

All Political officers (except the Political Resident Aden.)

No 8881 Dharwar.
30-11-98.

Copy forwarded to the Assistant Political Agent

for report on the points noted in paras 2 & 3 of the Government Resolution.

(Sd) J. Mc Neill.
Poll Agent

No 339 of 1898

Forwarded to the Dewan of Travancore for compliance & return.

(Sd) A. Westropp
A.P. Agent.
10-12-98.

8-12-98

J. No 18

No. 39 of 1899

6th ~~January~~ February 1899

Returned with compliments.

With reference to the 2nd para of the Government circular W.S. respectfully begs to report that when parties apply for copies of decrees or judgments by presenting themselves before the court, payment is made for such copies on an estimate in advance and they are informed that copies may be ready about a certain date and that they should then apply for them, but no record is made to that effect before the applications. Generally they appear to take delivery about that date but not necessarily. If they fail to

appear on the date on which copies are ready for delivery, they are kept till applied for.

When such applications are sent through post a lump sum is remitted by ~~then the~~ to an order from which the cost of making the copies is deducted and the excess, if any is refunded. If in any case the amount so remitted falls short of the cost, the ~~deficit~~ difference is recovered before making delivery. If transmission of copies per post is requested in the application, the request is granted and the date of despatch recorded on the copy. The existing arrangement is in the opinion of the W.S. defective and consequently ~~is~~ not, ~~in the opinion of the W.S.~~, suitable to give effect to the principle in question.

The W.S. begs therefore to propose that when parties or their pleaders present such applications in person, they should be informed that copies will be ready on a certain date & that they should on that date appear to take delivery, and endorsement to that effect should

be made on the application over the signa

of the presiding officer of the Court or any other

person authorized by him in this behalf. If o

that date, owing to unavoidable reasons, the

copy is not ready and the applicant appears to

take delivery he should be asked to apply for

the same on a future date to be fixed by the office

and further endorsement to that effect should

be made on the application. When a copy is delivered

on the date of its being ready for delivery, it

should be noted on the copy that the copy was

ready for delivery and delivered on such & such

date. If the applicant fails to apply for it

on the date so notified to him, the date on

which the copy was ready for delivery and that

on which it was delivered should be distinctly

recorded ~~on the copy~~. thereon

When such applications are sent through

port, the date on which they reach the court should be taken as the starting point of the period to be deducted. The copy should be despatched on the date on which it will be ready for delivery and the date of despatch noted ~~on the copy~~ thereon. ~~In cases the date~~

By such arrangement, ~~it may be held that~~ ~~in cases~~ ~~it may be held that in computing the time requisite for obtaining a copy, the period is determined when the copy is ready for delivery.~~

There seems to be no objection to adopt the principle in question.

2. No time has been fixed by the ~~cases~~ Limitation Law now in force for presenting applications under Section 622, civil procedure code. But the High Court of Allahabad have ruled (in the cases of Balmukund vs. Shirjalan (I L R 6 Allahabad series 125 & Durga prasad vs. Shivcharan I.L.R. 4 All. 154.) that such applications should be made as early as possible. The W.S. is of opinion that ~~for the time~~ ~~for such~~ such appeals or applications as are referred to in paras 3 of the 9. circular

The time in the opinion of the H.C. should be fixed at 3 months & that the existing limitation law allows accordingly.

O. C. Garan

Reciprocity in the free service of Civil, Criminal and Revenue processes between the Indore State and the British Districts of the Bombay Presidency.

Letter No. 2700, dated the 7th March 1902.

From—The Honourable the Agent to the Governor-General in Central India;

To—The Acting Chief Secretary to Government, Political Department, Bombay.

With reference to Mr. Edgerley's letter No. 2429, dated the 9th April 1897, I have the honour to forward six copies of a judicial Circular* issued by the Indore Darbar regarding the free service of Civil, Criminal and Revenue processes, and to request that, if His Excellency the Governor in Council sees no objection, Courts in Bombay may be instructed not to remit money for the service of any processes or summonses in Indore territory. All processes, whether Civil, Revenue or Criminal, from Bombay will in future be served free of cost in Indore in the same manner as Civil and Revenue processes from the Indore State Courts are now served free in Bombay.

No. 2397.

POLITICAL DEPARTMENT.

Bombay Castle, 18th March 1902.

RESOLUTION.—A copy of the above letter from the Honourable the Agent to the Governor-General in Central India should be forwarded to the Judicial Department, with reference to the correspondence ending with that Department memorandum No. 2600, dated the 30th March 1897, and to the Revenue Department, with reference to Government Resolution No. 1073, dated the 11th February 1897, in the Political Department, for information and such action as may be considered necessary in those Departments.

J. L. JENKINS,
Acting Chief Secretary to Government.

To
The Judicial Department of the Secretariat,
The Revenue Department of the Secretariat,
The Honourable the Agent to the Governor-General in Central India. } (By letter.)

No. 2634 OF 1902.

REVENUE DEPARTMENT.

Bombay Castle, 21st April 1902.

Copies forwarded for information and guidance to—

The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Commissioner in Sind,
and
All Collectors, including the Collectors and Deputy Commissioners in Sind,

with reference to Government endorsement No. 1879, dated 9th March 1897.

P. J. MEAD,
Under Secretary to Government.

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* Printed on the reverse.

No 2963 of 1902
Dhanwar 2nd May 1902

Copy forwarded for information & guidance to the Assistant Political Agent Sawanur. Rajkumar

No 234 of 1902
Camp Tadas 14/5/02 Hendrick
Forwarded to the Dewan of Sawanur for information and guidance.
181 agst. Wheeler

[redacted]

File 16-5-02

INDORE DARBAR JUDICIAL STANDING

CIRCULAR No. 11 OF 1310 FASLI.

With reference to previous Notifications on the subject it is hereby notified for the information and guidance of all concerned that legal processes—Civil, Revenue and Criminal—of the Courts of all Native States in Central India and of the Courts of the undermentioned Districts and Provinces of British India will be executed free of process fees or postage fees by the Courts in the Indore State.

1. Indore Residency.
2. Mhow Cantonment.
3. Ajmere-Merwara.
4. Central Provinces.
5. North-Western Provinces and Oudh.
6. Bombay Presidency.

N'ANAK CHAND, C.I.E.,
Minister.

Reciprocity in the free service of civil and criminal processes between the Indore State and the British Districts of the Bombay Presidency.

Letter No. 2700, dated the 7th March 1902.

From—The Honourable the Agent to the Governor-General in Central India;

To—The Acting Chief Secretary to Government, Political Department, Bombay.

With reference to Mr. Edgerley's letter No. 2429, dated the 9th April 1897, I have the honour to forward six copies of a Judicial Circular issued by the Indore Darbar regarding the free service of civil, criminal and revenue processes, and to request that, if His Excellency the Governor in Council sees no objection, Courts in Bombay may be instructed not to remit money for the service of any processes or summonses in Indore territory. All processes, whether civil, revenue or criminal, from Bombay will in future be served free of cost in Indore in the same manner as civil and revenue processes from the Indore State Courts are now served free in Bombay.

Indore Darbar Judicial Standing Circular No 11 of 1310 Fasli.

With reference to previous Notifications on the subject it is hereby notified for the information and guidence of all concerned that legal processes—civil, revenue and criminal—of the Courts of all Native States in Central India and of the Courts of the undermentioned Districts and Provinces of British India will be executed free of process fees or postage fees by the Courts in the Indore State:—

1. Indore Residency.
2. Mhow Cantonment.
3. Ajmere-Merwára.
4. Central Provinces.
5. North-Western Provinces and Oudh.
6. Bombay Presidency.

No. 2397.

POLITICAL DEPARTMENT.

Bombay Castle, 18th March 1902.

RESOLUTION.—A copy of the above letter from the Honourable the Agent to the Governor-General in Central India should be forwarded to the Judicial Department, with reference to the correspondence ending with that Department memorandum No. 2600, dated the 30th March 1897, and to the Revenue Department, with reference to Government Resolution No. 1073, dated the 11th February 1897, in the Political Department, for information and such action as may be considered necessary in those Departments.

No. 1326, dated the 20th June 1902.

From—The Acting Registrar, High Court, Appellate Side, Bombay;

To—The Acting Chief Secretary to Government, Judicial Department, Bombay.

I am directed by the Honourable the Chief Justice and Judges to acknowledge the receipt of your letter No. 2496, dated the 14th April 1902, forwarding, with reference to the correspondence ending with this office letter No. 466, dated the 15th March 1897, copy of a Resolu-

tion of Government in the Political Department, No. 2397, dated the 18th March 1902, regarding reciprocity in the free service of civil, criminal and revenue processes between the Indore State and the British Districts of the Bombay Presidency, and requesting that their Lordships may be moved to favour Government with their opinion as to whether there is any objection to the proposal of the Honourable the Agent to the Governor-General in Central India.

2. In reply, I am to say that their Lordships see no objection to the proposal.

No. 4415.

JUDICIAL DEPARTMENT.

Bombay Castle, 10th July 1902.

RESOLUTION.—Copies of the Resolution of Government in the Political Department should be forwarded to the High Court, the Judge of the Sadar Court in Sind, all District Judges, all District Magistrates, the Chief Presidency Magistrate, the Chief Judge of the Court of Small Causes, Bombay, and the Judges of the Courts of Small Causes in the Mofussil, with an intimation that Government approve of the proposal of the Honourable the Agent to the Governor-General in Central India.

(Signed) A. S. A. WESTROPP,
Under Secretary to Government.

To

The Registrar, High Court, Appellate Side, Bombay,
The Prothonotary and Registrar, High Court, Original Jurisdiction, Bombay. } By letter.
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Judicial Commissioner in Sind,
All District Judges,
All District Magistrates,
The Chief Presidency Magistrate, Bombay,
The Chief Judge of the Court of Small Causes, Bombay,
The Judges of the Courts of Small Causes, Poona, Ahmedabad, Surat and Broach, and Karáchi,
The Political Department.

No 6130 of 1902.

Dtd. 20th July 1902

Copy forwarded for information and guidance to the Dewan

Jaiswar.

Reg. under Head Clerk.

File
31-7-02
R. Sharma

Reciprocity in the free service of civil and criminal processes between the Indore State and the British Districts of the Bombay Presidency.

Letter No. 2700, dated the 7th March 1902.

From—The Honourable the Agent to the Governor-General in Central India ;

To—The Acting Chief Secretary to Government, Political Department, Bombay.

With reference to Mr. Edgerley's letter No. 2429, dated the 9th April 1897, I have the honour to forward six copies of a Judicial Circular issued by the Indore Darbar regarding the free service of civil, criminal and revenue processes, and to request that, if His Excellency the Governor in Council sees no objection, Courts in Bombay may be instructed not to remit money for the service of any processes or summonses in Indore territory. All processes, whether civil, revenue or criminal, from Bombay will in future be served free of cost in Indore in the same manner as civil and revenue processes from the Indore State Courts are now served free in Bombay.

Indore Darbar Judicial Standing Circular No 11 of 1310 Fasli.

With reference to previous Notifications on the subject it is hereby notified for the information and guidence of all concerned that legal processes—civil, revenue and criminal—of the Courts of all Native States in Central India and of the Courts of the undermentioned Districts and Provinces of British India will be executed free of process fees or postage fees by the Courts in the Indore State :—

1. Indore Residency.
2. Mhow Cantonment.
3. Ajmere-Merwára.
4. Central Provinces.
5. North-Western Provinces and Oudh.
6. Bombay Presidency.

No. 2397.

POLITICAL DEPARTMENT.

Bombay Castle, 18th March 1902.

RESOLUTION.—A copy of the above letter from the Honourable the Agent to the Governor-General in Central India should be forwarded to the Judicial Department, with reference to the correspondence ending with that Department memorandum No. 2600, dated the 30th March 1897, and to the Revenue Department, with reference to Government Resolution No. 1073, dated the 11th February 1897, in the Political Department, for information and such action as may be considered necessary in those Departments.

No. 1326, dated the 20th June 1902.

From—The Acting Registrar, High Court, Appellate Side, Bombay ;

To—The Acting Chief Secretary to Government, Judicial Department, Bombay.

I am directed by the Honourable the Chief Justice and Judges to acknowledge the receipt of your letter No. 2496, dated the 14th April 1902, forwarding, with reference to the correspondence ending with this office letter No. 466, dated the 15th March 1897, copy of a Resolu-

tion of Government in the Political Department, No. 2397, dated the 18th March 1902, regarding reciprocity in the free service of civil, criminal and revenue processes between the Indore State and the British Districts of the Bombay Presidency, and requesting that their Lordships may be moved to favour Government with their opinion as to whether there is any objection to the proposal of the Honourable the Agent to the Governor-General in Central India.

2. In reply, I am to say that their Lordships see no objection to the proposal.

No. 4415.

JUDICIAL DEPARTMENT.

Bombay Castle, 10th July 1902.

RESOLUTION.—Copies of the Resolution of Government in the Political Department should be forwarded to the High Court, the Judge of the Sadar Court in Sind, all District Judges, all District Magistrates, the Chief Presidency Magistrate, the Chief Judge of the Court of Small Causes, Bombay, and the Judges of the Courts of Small Causes in the Mofussil, with an intimation that Government approve of the proposal of the Honourable the Agent to the Governor-General in Central India.

(Signed) A. S. A. WESTROPP,
Under Secretary to Government.

To

The Registrar, High Court, Appellate Side, Bombay,
The Prothonotary and Registrar, High Court, Original Jurisdiction, Bombay. } By letter.
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Judicial Commissioner in Sind,
All District Judges,
All District Magistrates,
The Chief Presidency Magistrate, Bombay,
The Chief Judge of the Court of Small Causes, Bombay,
The Judges of the Courts of Small Causes, Poona, Ahmedabad, Surat and Broach, and Karáchi,
The Political Department.

No 6130 of 1902.

Copy forwarded for information and guidance to the Assistant Political Agent, Savanur

Dharwar 29 July 1902

Registrar
Head clerk

758
30/7-02

No 491
Forwarded to Diwan Savanur
20/8/02

22-8-02
File
R.O. Pl.

Asst.
A P Agent.

Native States—Relative to reciprocity in the matter of the service of processes and the execution of decrees between British Indian Courts, Courts established or continued by the Governor-General in Council, and Native State Courts.

Read—

Replies of Political Officers to Government Circular No. 3481, dated the 10th May 1901.

Letter to the Government of India, Foreign Department, No. 4717, dated the 27th June 1902.

Memorandum from the Assistant Secretary to the Government of India, Foreign Department, No. 4054-I.A., dated the 18th September 1902—Forwarding copies of that Department Notifications Nos. 4049—53, dated the 18th September 1902.

No. 7437.

POLITICAL DEPARTMENT.

Bombay Castle, 9th October 1902.

RESOLUTION.—The reports received from the Political Agents on the above subject appear to His Excellency the Governor in Council to show that the object and scope of the notifications under discussion are not very clearly appreciated either by the Native States or by Government's own officers. The States, at any rate in Káthiáwár, appear to regard the suggestion that their Courts should be included in notifications under sections 650-A or 229-B of the Civil Procedure Code with some suspicion, whereas such inclusion is the highest compliment to those Courts which Government can pay, testifying as it does, in a thoroughly practical form, to the opinion that Courts so included can on account of their efficiency and independence be placed on terms of equality, in regard to service of their summonses and execution of their decrees, with Courts of British India. It should be an object of ambition to the Ruler of every Native State, proud of his administration of justice, to extort from the Paramount Power the public admission of the efficiency of his Courts involved in the publication of such a notification—an admission which is accompanied by the extremely practical advantage that it enables the processes and decrees of his Courts to run in British India and be enforced by the Courts there established. His Excellency has therefore read with some surprise the account of the extreme caution with which representatives of States in Káthiáwár have dealt with the subject and it is certainly a matter of regret that the Courts of none of the States, either of the First or Second Class, find a place in the notifications hitherto issued under the Civil Procedure Code, section 229-B.

2. Before revising the notifications, otherwise than is necessary to bring them up to date, it is considered desirable to explain as fully as possible their aim and scope and to enunciate the principles on which the Native State Courts should be admitted to the privilege of reciprocity.

3. The object of these notifications is to provide a proper sanction, which shall protect the incumbents of the British Courts concerned in (*a*) the service of processes, and (*b*) the execution of the decrees of—

(*i*) British Indian Courts,

(*ii*) Courts established or continued by the authority of the Governor-General in Council in the territories outside British India and therefore not directly covered by Acts of the British Indian Legislature, and

(*iii*) Native State Courts.

4. *First, as to British Indian Courts.*—These Courts are created and their powers and duties regulated by the Indian Legislature and in this matter they are governed by the provisions of the Civil Procedure Code, the relevant sections of which are 229, 229-B and 650-A. Section 229 provides that British Indian Courts may execute the decrees of Courts of the Governor-General in Council and section 650-A makes a similar provision for the service of processes. It will be seen therefore that service of the processes and the execution of the decrees of Courts established by the Governor-General in Council in areas beyond British India (*British* Courts, but *not* Courts established by or under the direct authority of the Legislature) are secured in British India by direct act of the Legislature. But lest a British Indian Court, on receiving such process for service or decree for execution, may be ignorant of the authority of the Court which has issued the process or decree to require it to proceed to service or execution, a notification is issued (Foreign Department notification No. 4049-I.A., dated the 18th September 1902) of which all British Courts under section 37, Act I of 1872, are bound to take judicial notice. That notification should therefore include all British Courts with an area of Original Civil Jurisdiction in territories outside British India whose processes and decrees it is desired should run in British India. Sections 229-B and 650-A, respectively, provide that British Indian Courts may also execute the decrees and serve the processes of *such Courts of Native States as may be notified by the Governor-General in Council* under the respective sections: that is, these Courts have to be selected and approved before they are granted this privilege of extension of their jurisdiction into British territory. Two of the sub-joined notifications are designed to set forth the Courts of Native States to which has been extended the privilege of having their processes served (Foreign Department notification No. 4053-I.A., dated the 18th September 1902) and their decrees executed (Foreign Department notification No. 4052-I.A., dated the 18th September 1902) in British India.

5. *Secondly, as to Courts established or continued by the Governor-General in Council outside British India.*—The liability of subjects of His Majesty and the delegation of executive or judicial authority to Courts or servants outside British India is regulated, so as to bind Courts established by the British Legislature within British India, by Act XXI of 1879. Notifications under this Act therefore are used to impose duties on this class of Courts. A general notification (Foreign Department notification No. 4049-I.A., dated the 18th September 1902) giving a list of this class of Courts has been issued as explained above to enable British Indian Courts to easily determine which Courts of this class they should recognise with reference to sections 90, 229, 229-A, 229-B and 650-A of the Civil Procedure Code. Section 229-A of the Civil Procedure Code provides that decrees of British Indian Courts may be sent for execution to any Court established or continued by the authority of the Governor-General in Council, &c., to which the Governor-General in Council has by notification in the *Gazette of India* declared this section to apply: a notification (Foreign Department notification No. 4050-I.A., dated the 18th September 1902) is therefore necessary to enable decrees of British Courts to run within the area of jurisdiction of Courts established by the Governor-General in Council without British India and to protect the officials of those Courts in executing them. This notification issued under Act XXI of 1879 imposes on such Courts the duty and gives them the authority to execute the decrees of British Indian Courts. Section 89 of the Civil Procedure Code provides that processes of British Indian Courts may be posted direct to anybody residing out of British India; but if there is a British Resident or Agent or a Superintendent appointed

by the British Government or a Court established by the Governor-General in Council in or for the territory in which such person resides, section 90 provides that the process may be sent to such officer or Court for service. But as the Civil Procedure Code cannot impose on Courts outside British India the duty of serving the processes the Government of India have issued under Act XXI of 1879 a Notification No. 1366-I., dated the 29th March 1889, requiring such Courts to serve the processes of British Indian Courts. Reciprocity between Courts of the Governor-General in Council established in areas outside British India *inter se* has been provided for by Government of India Notifications Nos. 1367-I. and 1363-I., dated the 29th March 1889, in the matter of the service of processes and of the execution of decrees, respectively. The above resumé will show that, by utilising the various means at their disposal, the British Government have provided for complete reciprocity between their own Courts whether within or without British India in the matter of service of summonses and execution of decrees and have defined the Courts outside British India to which the orders apply.

6. *Lastly, as to the Courts of Native States.*—The first essential of the grant of any privileges in British areas to these Courts is that the States concerned must equally undertake to serve the processes or to execute the decrees, as the case may be, of all British Courts. The authority to impose this duty on Courts of a Native State is of course the Darbar concerned. The inclusion of their Courts in these Notifications has to be arranged if at all by the respective States by *negotiation*. Reciprocity is the first basis of negotiation and assuming that the States concerned give that, Government of India Notification No. 2182-I., dated the 2nd July 1890, enables their summonses to be served by British Courts *outside* British India and Foreign Department notification No. 4051-I.A., dated the 18th September 1902, enables their decrees to be executed in the same areas. As regards British Indian Courts the privileges are conceded by notification as regards service of summonses under section 650-A., and as regards execution of decrees by a notification under section 229-B. In either case the Chiefs concerned give the necessary orders to *their* Courts. Where a Chief has not full civil powers he issues orders to his Courts only in respect of those cases where the amount of the claim is within his partial jurisdiction, whereas the processes and decrees in cases above that amount fall within the orders governing Courts established by the Governor-General in Council as they exercise the *residuary* jurisdiction in respect of such State. An example of the doubts which arose in connection with a case of this kind is afforded by a reference as to the correct procedure in the case of the Third Class Taluka of Chuda in Káthiáwár, disposed of by Government Resolution No. 3433, dated the 2nd June 1897. Next to the question of reciprocity as the basis of *negotiation* comes that of the fitness of Native State Courts to be recognised for the purposes of reciprocity as regards service of summonses and execution of decrees. Obviously the recognition of Native State Courts in regard to the former requires much less scrutiny than similar recognition as to the enforcement of their final decrees. That difference is indicated in the freedom with which recognition under section 650-A has been accorded and the care with which applications for inclusion in notifications under section 229-B are scrutinised. The latter is a much more important concession which cannot be granted without a real assurance of the efficiency of the Native State Court. When there is no such reciprocity of execution, the decree of the Native State Court can still be enforced in British territory by a suit on the judgment, subject to the safeguards provided by the last clause of section 14 of the Civil Procedure Code. But if reciprocity of execution is granted, the decree must be enforced without enquiry (except as to the jurisdiction) and without the possibility of remedy if it has been improperly obtained. The only manner in which the decree of a French Court in Pondicherry or of a Portuguese Court in Goa or of a European Court can be enforced in British

India is by a suit on the judgment. For a long time the Bombay High Court maintained that not even in this manner could the decree of a Native State Court be enforced (I. L. R., 6 Bom., 292, and I. L. R., 8 Bom., 593); but this view has been swept away by the addition in 1888 of the last clause of section 14 and by the remarks of the Privy Council in the case of Sardar Gurdyal Singh *vs.* Rajah of Faridkhot (I. L. R., 22 Cal., at page 237). Since the decisions of the Bombay High Court were written great improvements have been made in the constitution and procedure of many of the Native State Courts. Still the question of admitting them to reciprocity in the matter of execution is one that must be dealt with very cautiously. The administration of Native States, especially of the smaller States, must fluctuate a good deal according to the capacity of the Chief, and it must be borne in mind that a party may be ruined by a decree improperly obtained against him. Of course this may happen in British Courts, but the risk is probably greater in the Courts of Native States. The Courts of no State, whether under its own Ruler or under administration, should therefore be granted privilege under section 229-B, unless the Political Agent is prepared to certify that its judiciary possesses efficiency and independence of a somewhat lasting character.

7. Thus a State desiring recognition must not only give reciprocity but must also give satisfactory evidence that it has accorded to British Courts in its own territories the privileges which it seeks in British territories. Just as British Acts and Notifications in this matter are accessible to the States in the *Gazettes*, so the States must deposit with the Political Agent for the information of Government copies of the orders they have issued to secure reciprocity to British Courts, in order that the Governor in Council may be able to satisfy himself that reciprocity has really been granted and that there may be some formal record thereof (as there is on the British side), should British Courts have cause to complain that the Native State Courts are not duly assisting them in the matter. When recommending such requests the Political Agent must further certify that the Courts of the State are fit for the privilege. These being the principles which must underlie inclusion in these notifications it must always be a question whether the privileges granted to the Courts of States, while the States were administered by the British Government, should be continued on powers being handed over to the Chief. The decision must depend on the probability of the efficiency and independence of the Courts being maintained.

8. As a general rule Government will not take the initiative in negotiations on this subject with the States. If the States do not value the compliment of such recognition of their Courts by the Paramount Power and the advantages following thereon, there is no need for Government to move in the matter. But there seems to be so great a misunderstanding of the situation in Káthiáwár that the Agent to the Governor should explain the whole matter to the First and Second Class States in his Agency and enable them to understand that what they apparently regarded with some suspicion was in reality a high mark of appreciation by Government of the efficiency to which they have raised their Civil Courts. They can then, if they see fit, individually make application on behalf of their Courts at the same time offering the evidence of (1) reciprocity, (2) the fitness of their Courts for the privilege sought. Generally also it will be gathered from what has gone before that (1) many of the suggestions which have been made by the Political Agents are inconsistent with the requirements of the law as regards Courts of the status discussed, (2) the present revision of the notifications has been confined to what is necessary to bring them up to date, and (3) any applications for further inclusions must emanate from the State concerned on a correct apprehension of what such inclusion means and be submitted by the Political Agent only when he is satisfied of the efficiency of the Courts and of the sufficiency of the orders issued in the Native State concerned to secure the same privileges to British Courts therein as the Darbar seeks to obtain from the British Government.

To summarize:—

On the part of the British Government nine notifications are required over and above the direct provisions of the law to give British Indian Courts and Courts established by the Governor-General in Council the necessary authority and protection. Out of these four need no revision and five have been revised so as to bring them into accord with existing conditions in the Agencies:—

(1) Giving a list of Courts established with reference to sections 99, 229, 229-A, 229-B, and 650-A of the Civil Procedure Code.	Government of India Notification No. 4049-I.A., dated the 18th September 1902.
(2) Authorising service of processes of British Indian Courts by Courts established by the Governor-General in Council.	Government of India Notification No. 1366-I., dated the 29th March 1889.
(3) Authorising execution of decrees of British Indian Courts by Courts established by the Governor-General in Council.	Government of India Notification No. 4050-I.A., dated the 18th September 1902.
(4) Authorising service of processes of Courts established by the Governor-General in Council by other such Courts.	Government of India Notification No. 1367-I., dated the 29th March 1889.
(5) Authorising execution of decrees of Courts established by the Governor-General in Council by other such Courts.	Government of India Notification No. 1363-I., dated the 29th March 1889.
(6) Authorising service of processes of Native State Courts by Courts established by the Governor-General in Council.	Government of India Notification No. 2182-I., dated the 2nd July 1890.
(7) Authorising execution of decrees of Native State Courts by Courts established by the Governor-General in Council.	Government of India Notification No. 4051-I.A., dated the 18th September 1902.
(8) Authorising service of processes of Native State Courts by British Indian Courts (section 650-A, Civil Procedure Code).	Government of India Notification No. 4053-I.A., dated the 18th September 1902.
(9) Authorising execution of decrees of Native State Courts by British Indian Courts (section 229-B, Civil Procedure Code).	Government of India Notification No. 4052-I. A., dated the 18th September 1902.

On the part of the Native States—

(1) Service of processes of British Indian Courts by Native State Courts. (2) Execution of decrees of British Indian Courts by Native State Courts. (3) Service of processes of Courts established by the Governor-General in Council by Native State Courts. (4) Execution of decrees of Courts established by the Governor-General in Council by Native State Courts.	Must be secured by orders of the Chief concerned before corresponding privileges can be granted to Native State Courts.

S. W. EDGERLEY,

Acting Chief Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,

With copies of the notifications quoted in paragraph 9 of the Resolution.

[*P. T. O.*

The Agent to the Governor, Káthiáwár,
The Political Agent, Kolhápur and Southern Marátha Country,
The Political Agent, Rewa Kántha,
The Political Agent, Cutch,
The Political Agent, Mahi Kántha,
The Political Agent, Sávantvádi,
The Political Agent, Pálanpur,
The Collector and Political Agent, Surat,
The Collector and Political Agent, Kháudesh,
The Collector and Political Agent, Sátára,
The Collector and Political Agent, Thána,
The Collector and Political Agent, Kolába,
The Collector and Political Agent, Dhárwár,
The Collector and Political Agent, Kaira,
The Collector and Political Agent, Sholápur,
The Collector and Political Agent, Poona,
The Collector and Political Agent, Bijápur,
The Collector and Political Agent, Násik,
The Judicial Commissioner in Sind,
All District Judges (including Assistant Judges, F.P.),
The Chief Judge of the Court of Small Causes, Bombay,
The Judge of the Court of Small Causes, Ahmedabad,
The Judge of the Court of Small Causes, Poona,
The Judge of the Court of Small Causes, Surat and Broach,
The Judge of the Court of Small Causes, Karáchi,
The Prothonotary and Registrar of His Majesty's High Court of Judicature, Original Jurisdiction, Bombay,
The Registrar of His Majesty's High Court of Judicature, Appellate Side, Bombay,
The Judicial Department of the Secretariat.

With copies of the notifications quoted in paragraph 9 of the Resolution.

By letter.

The Private Secretary to His Excellency the Governor.

No 8384 of 1902
Dharwar, 7th November 1902

Copy forwarded for information and guidance to the Dewan of Sawantwadi.

[illegible]
Hd clerk

9-11-02
[illegible]

Notifications accompanying Government Resolution No. 7437, dated the 9th October 1902.

(I)

Notification* of the Government of India in the Foreign Department, No. 4049-I.A., dated the 18th September 1902.

With reference to sections 90, 229, 229-A, 229-B and 650-A of the Code of Civil Procedure (Act XIV of 1882), and in supersession of the Notification of the Government of India in the Foreign Department, No. 2179-I., dated the 2nd July 1890, as subsequently supplemented by the like notification No. 4110-I., dated the 8th October 1891, the Governor-General in Council is pleased to notify that the following Courts in the territories of Native Chiefs under the Political control of the Government of Bombay are Courts established or continued by the Governor-General in Council in the territories of Foreign Princes and States, namely :—

Cutch.

Court of the Political Agent, Cutch.

Pálanpur.

Court of the Political Superintendent, Pálanpur.
" Assistant Political Superintendent, Pálanpur.
" Huzur Deputy Assistant Political Superintendent, Pálanpur.
" District " " " "
" Thánadar of the Tharád Jamya villages.
" " of Váv.
" " of Sántalpur.
" " of Varáhi.
" " of Diodár.
" " of Kánkrej.

Mahi Kántha.

Court of the Political Agent, Mahi Kántha.
" Assistant Political Agent, Mahi Kántha.
" Native Assistant to the Political Agent, Mahi Kántha.
" Personal Assistant to the Political Agent, Mahi Kántha.
" Thanadar, Vatrák Kántha.
" " of the Bávisi Zilla.
" " of Sábar Kántha.
" " of Kátosan.
" " of Ghadváda.
" Aval-karkún at Mahisa.

Káthiáwár.

Court of the Political Agent, Káthiáwár.
" Assistant Political Agent, Jhálávád Pránt.
" " " Soráth Pránt.
" " " Hálár Pránt.
" " " Gohelvád Pránt.

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* Published at pages 688-89 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1635-36 of Part I of the *Bombay Government Gazette* of the 25th idem.

Court of the Deputy Assistant Political Agent, Jhálávád Pránt.
" " " " Soráth Pránt.
" " " " Hálár.
" " " " Gohelvád.
Court of Small Causes, Rájkot Civil Station.
Court of the Wadhwán District Thanadar.
" Chotila Thanadar.
" Dasáda "
" Bhika "
" Páliyad "
" Vithalgad "
" Bagásra "
" Lákhapádar "
" Lodhika "
" Dhrápha "
" Babra "
" Songad "
" Chamárdi "
" Dathá "
" Chok "
" Dedan "
" Jhinjhuváda "
" Deputy Thanadar, Mulila.

Rewa Kántha.

Court of the Political Agent, Rewa Kántha.
" Assistant Political Agent, Rewa Kántha.
" Deputy Assistant Political Agent, Rewa Kántha.
" Thanadar of Sankheda.
" " Pándu.
" " Jambughoda.

Kolhápur and Southern Marátha Country.

Court of the Political Agent, Kolhápur and Southern Marátha Country.
" Assistant Political Agent, Kolhápur.

Sávantvádi.

Court of the Political Agent, Sávantvádi.

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(2)

Notification* of the Government of India in the Foreign Department, No. 1360-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that a summons issued by any Civil or Revenue Court in British India for service within the local limits of the jurisdiction of a Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State, shall, if sent to that Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure, and after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

* Published at page 186 of Part I of the *Gazette of India* for 1889, and re-published at page 254 of Part I of the *Bombay Government Gazette* of the 4th April 1889.

(3)

Notification* of the Government of India in the Foreign Department, No. 4050-I.-A., dated the 18th September 1902.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879) and of all other powers enabling him in this behalf, the Governor-General in Council is pleased, in supersession of the Notification of the Government of India in the Foreign Department, No. 2180-I, dated the 2nd July 1890, as subsequenly supplemented by the like notification No. 4111-I., dated the 8th October 1891, to declare section 229-A of the Code of Civil Procedure to apply to the under-mentioned Courts, and to notify that a decree of any Court situate in British India which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to a Court specified in the schedule, be executed by that Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

Cutch.

Court of the Political Agent, Cutch.

Pálanpur.

Court of the Political Superintendent, Pálanpur.
" Assistant Political Superintendent, Pálanpur.
" Huzur Deputy Assistant Political Superintendent, Pálanpur.
" District " " " " "

Mahi Kántha.

Court of the Political Agent, Mahi Kántha.
" Assistant Political Agent, Mahi Kántha.
" Native Assistant to the Political Agent, Mahi Kántha.
" Personal " " " "

Káthiáwár.

Court of the Political Agent, Káthiáwár.
" Assistant Political Agent, Jhálávád Pránt.
" Deputy Assistant Political Agent, Jhálávád Pránt.
" Assistant Political Agent, Soráth Pránt.
" Deputy Assistant Political Agent, Soráth Pránt.
" Assistant Political Agent, Hálár Pránt.
" Deputy Assistant Political Agent, Hálár Pránt.
" Assistant Political Agent, Gohelvád Pránt.
" Deputy Assistant Political Agent, Gohelvád Pránt.

Rewa Kántha.

Court of the Political Agent, Rewa Kántha.
" Assistant Political Agent, Rewa Kántha.
" Deputy Assistant Political Agent, Rewa Kántha.

Kolhápur and Southern Marátha Country.

Court of the Political Agent, Kolhápur and Southern Marátha Country.
" Assistant Political Agent, Kolhápur.

Sávantvádi.

Court of the Political Agent, Sávantvadi.

* Published at pages 689-90 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at page 1636 of Part I of the *Bombay Government Gazette* of the 25th idem.

(4)

Notification* of the Government of India in the Foreign Department, No. 1367-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to direct that a summons issued by any Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State for service within the local limits of the jurisdiction of any other such Court, shall, if sent to the other Court, be served by that Court within those limits in manner provided by the Code of Civil Procedure and after being so served, be returned with such an endorsement under the hand of the Judge of the Court as is mentioned in section 90 of that Code.

(5)

Notification* of the Government of India in the Foreign Department, No. 1363-I., dated the 29th March 1889.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased to notify that a decree of any Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State which cannot be executed within the jurisdiction of the Court by which it was made may, if sent for execution to any other such Court, be executed by the other Court, to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

(6)

Notification† of the Government of India in the Foreign Department, No. 2182-I., dated the 2nd July 1890.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 and of all other powers enabling him in this behalf, the Governor-General in Council is pleased in continuation of Foreign Department Notification No. 1368-I., dated 29th March 1889, to direct that a summons issued by any Civil or Revenue Court in a Native State, situate within the political control of the Government of Bombay, and not established or continued by the authority of the Governor-General in Council shall, if sent to any Court so established or continued in the territories of any Foreign Prince or State, be served by that Court as if the summons had been issued by itself, and after being so served, be returned with an endorsement of such service under the hand of the Judge of the Court.

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* Published at page 186 of Part I of the *Gazette of India* for 1889, and re-published at page 254 of Part I of the *Bombay Government Gazette* of the 4th April 1889.

† Published at page 486 of Part I of the *Gazette of India* for 1890, and re-published at page 634 of Part I of the *Bombay Government Gazette* of the 10th idem.

(7)

Notification* of the Government of India in the Foreign Department, No. 4051-I.A., dated the 18th September 1902.

In exercise of the powers conferred by sections 4 and 5 of the Foreign Jurisdiction and Extradition Act, 1879 (XXI of 1879) and of all other powers enabling him in this behalf, and in supersession of the Notification of the Government of India in the Foreign Department, No. 2183-I., dated the 2nd July 1890, as subsequently amended and supplemented by the like Notifications No. 2594-I., dated the 6th August 1890, and No. 3631-I.A., dated the 24th September 1897, the Governor-General in Council is pleased to notify that, pending further orders, a decree of any of the under-mentioned Courts situate in Native States, within the Political control of the Government of Bombay and not established or continued by the authority of the Governor-General in Council, may, if sent for execution to a Court established or continued by the authority of the Governor-General in Council in the territories of any Foreign Prince or State, be executed by the Court to the same extent and in the same manner as that Court might execute within the limits of its jurisdiction a decree made by itself.

Mahi Kántha.

Court of the Japtidar of Pethápur.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.
" Subordinate Judge of Bhalod.

Sachin (Surat).

Court of the Administrator of Sachin.
" Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge of Kolhápur.
" Sadar Amin of Kolhápur.
" Munsiff of Shirol.
" Gad Hinglaj.
" Joint Officer at Katkol.
" Chief of Vishálgad.
" Munsiff of Vishálgad.
" Chief of Ichalkaranji.
" Munsiff of Ichalkaranji.
" " of Ajra.
" Chief of Bávda.
" Munsiff of Bávda.
" Chief of Kágal (Junior).
" Munsiff of Kágal (Junior).
" Chief of Kápshi.
" Munsiff of Kápshi.

*. Published at pages 690-91 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at page 1637 of Part I of the *Bombay Government Gazette* of the 25th idem.

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Southern Marátha Country.

Court of the Administrator of Mudhol.
" Nyayadhish of Mudhol.
" Administrator of Miraj (Junior) ... } Courts of Miraj (Junior).
" Munsiff of Kawtha ... ... } Courts of Miraj (Junior).
" " Gadgiri ... ... } Courts of Miraj (Junior).
" " Kuroli ... ... } Courts of Miraj (Junior).

Akalkot (Sholápur).

Court of the Political Agent, Sholápur.
" Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
" " Kurla.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
" Chief Judge, Sávantvádi.
" Nyayadhish of Sávantvádi.
" Munsiff of Kudál.
" Small Causes, Vádi.

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(8)

Notification* of the Government of India in the Foreign Department, No. 4053-I.A., dated the 18th September 1902.

In exercise of the power conferred by section 650-A of the Code of Civil Procedure (Act XIV of 1882) and in supersession of the Notifications of the Government of India in the Foreign Department, No. 868-I., dated the 13th March 1885, as subsequently amended and supplemented by the like Notifications* quoted in the margin, the Governor-General in Council is pleased to declare the provisions of that section to apply to those of the under-mentioned Civil Courts, situate beyond the limits of British India, which have not been established by the authority of the Governor-General in Council.

* No. 1727-I., dated 29th May 1885.
" 2266-I., dated 10th July 1885.
" 2361-I., dated 17th July 1885.
" 3289-I.A., dated 23rd October 1896.
" 3632-I.A., dated 24th September 1897.
" 4313-I.A., dated 22nd November 1897.
" 2664-I.A., dated 12th July 1901.

Khairpur.

Court of His Highness the Mir of Khairpur.
Court of the Vazir of His Highness the Mir of Khairpur.
" Mukhtyarkars of Khairpur, Gambat, Mirwah, Nara and the Nazam Adalat.
" Head Munshis of Khairpur, Gambat, Mirwah and Nara.

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* Published at pages 693—96 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1639—42 of Part I of the *Bombay Government Gazette* of the 25th idem.

Káthiáwár.

FIRST CLASS STATES.

(1.—*Junágadh State.*)

Huzur Adalat, Junágadh.
Sadar „ „
Adalat of the Assistant Judge, Junágadh.
Court of the First Class Civil Munsiff, Junágadh.
„ Small Causes, Junágadh.
„ Zilla Judge of Bábriávád at Bherái.
„ First Class Civil Munsiff, Nágeshri, Bábriávád.
„ „ „ „ Una.
„ „ „ „ Pátan.
„ „ „ „ Verával.
„ „ „ „ Mália.
„ „ „ „ Visáwadar.
„ „ „ „ Bhesan.
„ „ „ „ Kutania.
„ „ „ „ Sil.
„ Second Class Munsiff, Nawágadh.
„ „ „ „ Sásan.
„ „ „ „ Sunváv.
Court for Small Causes, Chorwád.

(2.—*Navánagar State.*)

Chief Judicial Court, Navánagar.
Senior Nyayadhish's Court, „
Junior „ „
City Munsiff's Court, „
Small Cause Court, Padadhári.
Munsiff's Court, Khambhália.
„ Bhánvad.
„ Jodia.
„ Kandorna.
„ Lálpur.
„ Atkot.
„ Káláwád.
„ Kalyánpur.
„ Amron.

(3.—*Bhávnagar State.*)

Huzur Court, Bhávnagar.
Sar Nyayadhish's Court, Bhávnagar.
Joint Sar Nyayadhish's Court, Bhávnagar.
Nyayadhish's Court, Bhávnagar.
„ Mahuvá.
„ Kundla.
„ Talája.
„ Lilia.
„ Botád.
„ Umrála.
„ Gadhada.
„ Sihor.

(4.—*Porbandar State.*)

Munsiff's Court, Porbandar.
Sar Nyayadhish's Court, Porbandar.
Huzur Court, Porbandar.

(5.—*Dhrángadhra State.*)

Huzur Court, Dhrángadhra.
Sar Nyayadhish's Court, Dhrángadhra.
Nyayadhish's Court, „
„ Halwad.
Thanadar's Court, Shitha.
„ Umarda.

(6.—*Morvi State.*)

Huzur Court, Morvi.
Mukhya Divan's Court, Morvi.
Sar Nyayadhish's Court, Morvi.
Divani Nyayadhish's Court, Morvi.
Mahalkari's Court, Tankára.
Thanadar's Court, „
„ Jetpur.
„ Vavánia.

(7.—*Gondal State.*)

Huzur Court, Gondal.
Sar Nyayadhish's Court, Gondal.
Munsiff's Court, Gondal.
„ „ Dhoráji.
Thanadar's Court, Gondal.
„ „ Dhoráji.
Nyay adhish's Court, Sarsái.

SECOND CLASS STATES.

(1.—*Vánkáner State.*)

Huzur Court, Vánkáner.
Sar Nyayadhish 's Court, Vánkáner.
Nyayadhish's Court, Vánkáner.

(2.—*Pálitána State.*)

Huzur Court, Pálitána.
Sar Nyayadhish's Court, Pálitána.
Diwani Nyayadish's Court, Pálitána.

(3.—*Dhrol State.*)

Huzur Court, Dhrol.
Small Cause Court, Dhrol.
Karbhari's Court, „
Nyayadhish's Court, „
„ Sarapdar.

(4.—*Limbdi State.*)

Munsiff's Court, Limbdi.
Judicial Karbhari's Court, Limbdi.
Huzur Court, Limbdi.

(5.—*Rájkot State.*)

Government Manager's Court, Rájkot.
Diwani Nyayadhish's Court, Rájkot.
Small Cause Court, Rájkot.
Thanadar's Court, Sardhár.

(6.—*Wadhwán State.*)

Nyayadhish's Court.
Sar Nyayadhish's Court.
Huzur Court.

(7.—*Jáfrábád State.*)

Madatnis Kamgar's Court.
Mamlatdar's Court.

Mahi Kántha.

Court of the Japtidar of Pethapur.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.

Sachin (Surat).

Court of the Administrator, Sachin.
" Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge, Kolhápur.
" Sadar Amin, Kolhápur.
" Munsiff of Shirol.
" " of Gad Hinglaj.
" Joint Officer at Kátkol.
" Chief of Kágal.
" Munsiff of Kágal.
" Chief of Bávda.
" Munsiff of Bávda.
" Chief of Ichalkaranji.
" Munsiff of Ichalkaranji.
" " of Ajra.
" Chief of Vishálgadh.
" Munsiff of Vishálgádh of Miraj.

Southern Marátha Country.

Court of the Nyayadhish of Miraj.
" Munsiff of Lakshmeshvar. } Miraj State (Senior).
" " Modnimb.

Court of the Administrator. " Munsiff of Kawtha. " " Gadgiri. " " Kuroli.	Miraj State (Junior).
Huzur Court. Court of the Nyayadhish. " Munsiff of Miraj Pránt. " " Mangalveda, Kuchi and Terdal or Northern Division. " " Shahapur and Shirhatti or Southern Division. " Wahiwatdar of the Sub-Saranjam of Mhysal.	Sángli State.

Akalkot (Sholápūr).

Court of the Political Agent, Sholápur.
" Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
" " Kurla.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
" Chief Judge of Sávantvádi.
" Nyayadhish of Sávantvádi.
" Munsiff of Kudál.
" Small Causes of Vádi.

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(9)

Notification* of the Government of India in the Foreign Department, No. 4052-I.A., dated the 18th September 1902.

In exercise of the powers conferred by section 229-B of the Code of Civil Procedure (XIV of 1882) and in supersession of the Notification of the Government of India in the Foreign Department, No. 687-I., dated 13th March 1885, as subsequently amended and supplemented by the like notifications* quoted in the margin, the Governor-General in Council is pleased to declare that the decrees of those of the undermentioned Civil Courts situate in the territories of Native Princes or States in alliance with His Majesty which have not been established by the authority of the Governor-General in Council, may be executed in British India as if they had been made by the Courts of British India.

* No. 1726-I., dated 29th May 1885.
" 2265-I., dated 10th July 1885.
" 2360-I., dated 17th July 1885.
" 2591-I., dated 7th August 1885.
" 3490-I., dated 15th October 1885.
" 1688-I., dated 20th May 1890.
" 3633-I.A., dated 24th September 1897.
" 4312-I.A., dated 22nd November 1897.

Mahi Kántha.

Court of the Japtidar of Pethápur.

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* Published at pages 691-92 of Part I of the *Gazette of India* of the 20th September 1902, and re-published at pages 1638-39 of Part I of the *Bombay Government Gazette* of the 25th idem.

Rewa Kántha.

Huzur Court of Rájpipla.
Court of the Sar Nyayadhish of Rájpipla.

Sachin (Surat).

Court of the Administrator, Sachin.
" Divan of Sachin.

Janjira (Kolába).

Court of the Sar Nyayadhish of Janjira.

Kolhápur.

Court of His Highness the Maharaja of Kolhápur.
Combined Court of the Political Agent, Kolhápur and Southern Marátha Country, and His Highness the Maharaja of Kolhápur.
Court of the Chief Judge, Kolhápur.
" Sadar Amin, Kolhápur.
" Munsiff of Shirol.
" " Gad Hingláj.
" Joint Officer at Katkol.
" Chief of Kágal. } (Junior).
" Munsiff of Kágal. }
" Chief of Bávda.
" Munsiff of Bávda.
" Chief of Ichalkaranji.
" Munsiff of Ichalkaranji.
" Munsiff of Ajra.
" Chief of Vishálgadh.
" Munsiff of Vishálgadh.

Southern Marátha Country.

Court of the Nyayadhish of Miraj (Senior).
" Administrator of Miraj (Junior). } Miraj State (Junior).
" Munsiff of Kawtha. }
" " Gadgiri. }
" " Kuroli. }
" Wahiwatdar of the Sub-Saranjam of Mhysal.

Akalkot (Sholápur).

Court of the Political Agent, Sholápur.
" Subordinate Judge of Akalkot.
Subordinate Court of Pilio.
" " Kurla.

Khándesh Agency.

Court of the Political Agent, Khándesh.
" Assistant Political Agent for the Mewas States.
" " " " Dángs.

Sávantvádi.

Court of the Political Agent, Sávantvádi.
" Chief Judge, Sávantvádi.
" Nyayadhish of Sávantvádi.
" Munsiff of Kudál.
" Small Causes of Vádi.

Sávanur (Dhárwár).

Court of the Political Agent, Dhárwár.

Reciprocity

The conveyance and maintenance charges of accused persons and of cattle in extradition cases arising between the Baroda State and British Districts or Native States in the Bombay Presidency are to be borne by the authority making the surrender.

Letter No. 3801, dated the 10th March 1903.

From—Lieut.-Colonel M. J. MEADE, C.I.E.,
Resident at Baroda;

To—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Acting Chief Secretary to Government, Political Department, Bombay.

I have the honour to state that the Honourable the Resident at Hyderabad proposed in June last that subsistence and transit charges of accused persons and cattle concerned in extradition cases arising between the Baroda and Hyderabad States should be borne by the State making the surrender, as the Government of India were of opinion that petty claims of this nature might be waived by the surrendering jurisdiction.

2. Finding that a principle different from that laid down in the Government Resolutions* noted in the margin had been enunciated by the Government of India, they were addressed† on the subject, and have in reply furnished me with a copy of the more recent orders‡ passed by the Government of Bombay.

* No. 4034, dated 3rd July 1894.
No. 7490, dated 30th November 1894.
† No. 11859, dated 28th June 1902, copy enclosed.
‡ No. 489, dated 22nd January 1897.

3. The Hyderabad authorities having expressed a desire to enter into an arrangement in this regard with the Baroda Darbar, I addressed them on the subject. A copy of their reply§ is enclosed for the information of Government. It will be seen that the Darbar plead their inability to fall in with the proposal of Hyderabad until the practice now in force in relation to Baroda on the one hand and British Districts and Native States under the Government of Bombay on the other is altered in conformity with the Hyderabad arrangement.

§ No. 4879, dated 11th December 1902.

4. A reference to the correspondence‖ which preceded the issue of Government orders in 1894 will show that this office had all along been in favour of the practice which both the Government of India and the Government of Bombay have approved of with respect to Hyderabad. The reasons which induced the two Governments to sanction the Hyderabad proposal apply with equal, if not more, force to Baroda, and it seems that there are now no good grounds for treating the latter differently in a matter of the kind under advertence.

‖ From this office to Government, No. 10395, dated 25th September 1894, paragraph 4.
From Colonel Biddulph to the Honourable Mr. G. W. Vidal, demi-official dated 31st October 1894.

5. The inconvenience and trouble arising from the present system have been correctly described by the Baroda Darbar, and with the experience of the past eight years I am able to endorse the views expressed by them.

6. Under the circumstances, before returning a definite reply to the Resident at Hyderabad, I shall be obliged by being informed whether His Excellency the Governor in Council is disposed to issue orders similar to those which he has laid down, in the matter of the recovery of conveyance and maintenance charges of accused persons, and of cattle, in extradition cases as between the Hyderabad State and Districts in the Bombay Presidency, for the Baroda State and its neighbours under His Excellency's Government.

Letter No. 11859, dated the 28th June 1902.

To—Captain H. G. CARNEGY,
First Assistant Resident in charge Baroda Residency;

To—The Secretary to the Government of India, Foreign Department.

I have the honour to invite attention to a letter noted in the margin, copy enclosed, which I have received from the First Assistant to the Resident at Hyderabad. It seems that the Government of India are generally

No. 3412-J., dated 20th June 1902.

of opinion that claims on account of surrendering charges in extradition cases should be waived by surrendering parties in India, and that the Resident at Hyderabad presumably desires that an arrangement in accordance therewith may be introduced in respect of demands for extradition of offenders as between the Nizam and Baroda Governments.

2. An exactly similar arrangement* was brought into force in this part of India by the Government of Bombay in 1877, at the instance of Mr. P. S. Melville, C.S.I., a late Agent to the Governor-General at Baroda; but in the year 1894 that Government altered this very convenient and satisfactory practice and substituted it by one which enjoined the recovery of surrendering charges from the jurisdiction demanding extradition—a diametrically opposite system. I beg to submit copies of the papers† bearing on the subject, from which it will be seen that the Government of India, at the time, saw no reason to take exception to the action of the Bombay Government.

* No. 1030, dated 19th February 1877, copy enclosed.
" 657 " 8th " " "

† Extract paragraph 3 of a letter from the Foreign Department, No. 2683-I., dated 9th August 1894.
Bombay Government Resolution No. 4034, dated 3rd July 1894.
Extract paragraphs 3 and 4 of this office letter No. 10395, dated 25th September 1894.
Extract paragraph 2 of Bombay Government Resolution No. 7490, dated 30th November 1894.

3. So far as this office is concerned, the present system entails trouble incommensurate with the interests or the principle involved, and has increased correspondence by over one thousand five hundred letters every year, and the system now proposed to be adopted between Hyderabad and British districts will avoid needless correspondence and, from a financial point of view, will make no material difference.

4. So long, however, as the orders of the Bombay Government alluded to above remain unaltered, I feel unable to address the Baroda Government on the subject of the communication from the Hyderabad Residency; and I propose informing the Honourable Colonel Barr accordingly, should the Government of India see no objection.

5. If I am permitted to express an opinion, I should say that in a matter of the kind under advertence, which is of general application and of almost every day occurrence in all parts of India, there ought to be uniformity of procedure in all jurisdictions.

Letter No. 4879, dated the 11th December 1902.

From—R. V. Dhamnaskar, Esq.,
Divan of Baroda;

To—Lieut.-Colonel M. J. Meade, C.I.E.,
Resident at Baroda.

With reference to your office letter No. 14871, dated the 7th August last, and subsequent reminder, I have the honour to observe that the proposal of His Highness the Nizam's Government concerning surrendering charges in connection with extradition cases is opposed to the practice at present prevailing in this State. Its acceptance would, therefore, cause a breach of uniformity in that practice so far as Hyderabad is concerned. This would be inconvenient as well as undesirable. If, however, the proposal of Hyderabad should be accepted by all other States and by British authorities in their relations with this State, His Highness' Government have no objection to adopt it as a general practice in all cases of extradition of offenders.

2. Prior to 1894, the practice of this State in regard to Gujarát and British territory generally was that the surrendering State defrayed all the expenses of feeding and conveying the accused as also of feeding any animals surrendered with him. In regard to extradition cases arising between Baroda and the Káthiáwár State, the practice varied from time to time, and between State and State. In 1894 the Bombay Government considered the question of conveyance and maintenance charges (*vide* your office letter No. 13564, dated 17th December 1894), and having discovered a considerable divergence in the practice in such matters thought it advisable to introduce a uniform procedure, and gave their preference to the procedure at present in vogue in spite of the difficulties that were anticipated in its working. They desired a fair trial to be given to the rules they recommended, and in 1896 gave them their final approval (*vide* your office letter No. 11861, dated the 12th September 1896).

3. It will thus appear that the existing procedure has had a trial for eight years, so far as this State is concerned, and it cannot be said on the strength of such trial that its

working has been at all satisfactory inasmuch as it has involved considerable trouble in the way of checking and sanctioning bills, &c. Taking an average of the last five years, the number of bills received every year and examined by our Extradition Department is 143 and those prepared and tendered by that Department amounted to 153 per annum. In addition to this there is the correspondence relating to bills that are disputed. All this involves considerable cost in establishment as well as trouble, and in the result the payments made generally balance the payments received, leaving no corresponding advantage for the expense and labour involved in checking and scrutinising bills, &c Even if in a particular year there were an appreciable difference in the two payments, the difference would never cover the cost of the establishment in connection with the bills.

4. Nor is this the experience of this State alone. The same procedure has had a longer trial in Káthiáwár, where it was formally introduced between the various States in 1874. An attempt to extend it to the Amreli District led to correspondence in the course of which Sir T. Madhav Rao, writing in 1880, pointed out that "the principle most convenient to all was that any State which detained a prisoner, whether in its own interests or those of another, should bear the cost of such detention" and proposed an agreement with the Káthiáwár States providing, *inter alia*, for the surrendering State paying maintenance charges. The Political Agent, Káthiáwár, was, however, averse to make any changes, as the rules had been drawn up after due deliberation and consultation and as they had worked well. Accordingly, Sir T. Madhav Rao agreed provisionally to adopt the Káthiáwár rules of 1874 in extradition cases between this State and Káthiáwár, leaving the question open for re-consideration after trial of the rules for a few years longer.

5. In 1882 your Assistant at Amreli reported that there was great difficulty found in working Rule VI, which run thus: "The cost of maintaining a person whether during imprisonment or in custody (up to one month) till he is sent for by the State demanding his surrender shall be borne by the State which detains him." Then after mentioning cases not provided for by the rule and instances of disputes in connection with bills tendered he says: "there is hardly a case of a demand being made under Rule VI of the Rules referred to without a dispute being raised by one side or other." He then adds, "trouble is also caused to State officials by the necessity of keeping separate accounts of demands for and receipts of diet money. These accounts are scrutinised by the opposite side and form another source of dispute." And "after all this trouble there is practically no advantage gained. At the end of the year the cost to a State is about the same, whether it pays for the keep of persons arrested for extradition or whether it recovers the expenses of the keep from the States concerned." The conclusion he came to was that it would, therefore, be a great relief if the rules for recovering Government expenses were dispensed with as it had been in Gujarat.

6. This letter from Major Jackson, dated 7th October 1882 (forwarded with your office No. 6484, dated 11th July 1884), leaves very little to be said on the subject. Facts and figures are there adduced which bear out the adverse criticism passed on the system, and more recent experience by no means tends to weaken its force.

7. The system thus condemned by experience has indeed certain theoretical advantages which the Bombay Government had in view when they introduced it. They are alluded to in paragraphs 2 and 3 of your office letter No. 13564, dated the 17th December 1894. Without gainsaying, however, the soundness or the simplicity of the principle that "the Court which tries an accused person surrendered to it on its application should pay the cost of conveyance and maintenance charges so incurred," it may be said that the principle contended for by Sir T. Madhav Rao (*vide* paragraph 4 *supra*) is not wanting in simplicity or soundness either in relation to a scheme of mutual co-operation between various States in the discovery and punishment of crime. The Government of Bombay also considered the new practice fairer. But either system is, I submit, fair so long as complete reciprocity is observed. Finally, the practice was preferred as being "in accordance with the general principle followed in dealing with charges for witnesses and for accused persons." This accordance is undeniable. In the case of witnesses, however, no questions such as those relating to period of detention, the person at whose instance the accused was arrested, &c., can arise, and the practical difference in the complexity of the two cases is, therefore, enormous.

8. On the whole it appears that any theoretical advantages in favour of the prevailing practice are more than counterbalanced by the serious practical inconveniences attending its working. I request, therefore, the favour of your using your good offices with the Government of India to secure for the State the same practice generally as Hyderabad has been able to secure for itself with British India, and in the meanwhile of conveying to the Resident at Hyderabad the inability of His Highness' Government to comply with the request of Hyderabad until the practice embodied in its proposal can be secured for this State in relation to all other Native States as well as British India.

Memorandum No. 2421, dated the 2nd April 1903.

From—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Acting Chief Secretary to Government, Political Department, Bombay;

To—The Honourable Mr. F. S. P. LELY, C.S.I., I.C.S.,
Commissioner, N. D.
H. O. QUIN, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár.

* Copy forwarded for report whether there is any objection to the procedure with the Baroda State in the matter being altered to that prescribed for the Hyderabad State in Government Resolutions No. 489, dated 22nd January 1897, and No. 5333, dated 30th August 1897, and also for report whether the system at present in force causes much correspondence which would be avoided under that desired by the Resident.

* Of the foregoing correspondence.

Letter No. 1461, dated the 23rd May 1903.

From—The Honourable Mr. F. S. P. LELY, C.S.I., I.C.S.,
Commissioner, N. D.;

To—W. T. MORISON, Esq., I.C.S.,
Acting Secretary to Government, Political Department, Bombay.

With reference to your endorsement No. 2421, dated the 2nd April, I have the honour to state that there is complete unanimity of opinion among the District Magistrates in this Division concerned that a reversion to the system which obtained prior to 1894 is not only unobjectionable but desirable, and that much correspondence would be avoided.

2. I entirely concur. It is doubtless correct in principle that the State demanding extradition should bear the charges incurred, but the time and trouble involved in effecting recoveries is out of all proportion, and in a series of years there would probably be no great difference in the two sides of the account. On the other hand, under the Hyderabad system, as one District Magistrate remarks, each State will have a motive which does not now exist for keeping down expenses and getting prisoners transferred with the least loss of time.

Letter No. 569, dated the 30th July 1903.

From—H. O. QUIN, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár;

To—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Secretary to Government, Political Department, Bombay.

With reference to your endorsement No. 2421, dated the 2nd April last, and subsequent reminders, I have the honour to state that the States which were consulted consider the question an important one and desire to have it settled at the next meeting of the Karbharis, which will probably be held in September next. I agree with this proposal and will submit a further report after the matter is discussed in the meeting.

Letter No. 5519, dated the 17th August 1903.

From—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Secretary to Government, Political Department, Bombay;

To—H. O. QUIN, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár.

With reference to the correspondence ending with your letter No. 569, dated the 30th July 1903, regarding the proposal of the Baroda Darbar that the conveyance and

maintenance charges of accused persons and of cattle concerned in extradition cases should be borne by the State which makes the surrender, I am directed to forward herewith, for your information, copy of a letter on this subject from the Commissioner, N. D., No. 1461, dated the 23rd May 1903. I am at the same time to state that an arrangement similar to that proposed by the Baroda Darbar is in force as regards His Highness the Nizam's State, and has also been sanctioned by Government in connection with the Bháwalpur and Kálat States.

Letter No. 831, dated the 31st October 1903.

From—H. O. QUIN, Esq., I.C.S.,
Acting Agent to the Governor, Káthiáwár;

To—The Honourable Mr. S. W. EDGERLEY, C.I.E., I.C.S.,
Chief Secretary to Government, Political Department, Bombay.

With reference to Government letter No. 5519, dated the 17th August 1903, regarding the proposal of the Baroda Darbar that the conveyance and maintenance charges of accused persons and of cattle concerned in extradition cases should be borne by the State which makes the surrender, I have the honour to report that the matter was placed before the last Karbharis' meeting held on 17th instant, but the States are not in favour of the proposed change.

No. 7810.

POLITICAL DEPARTMENT.

Bombay Castle, 20th November 1903.

RESOLUTION.—In modification of the orders contained in Government Resolutions Nos. 4034 and 7490, dated respectively the 3rd July and 30th November 1894, and Government Resolution No. 5455, dated the 7th September 1896, the Governor in Council is pleased to accept the proposal that in cases of extradition between the Baroda State and British Districts of the Bombay Presidency the conveyance and maintenance charges of accused persons and of cattle should be borne by the authorities making the surrender. The same procedure will be followed in Thana Circles and Managed States and will no doubt be adopted by Native States in this Presidency. The Agent to the Governor, Káthiáwár, should inform the Káthiáwár States of this decision and will of course render no assistance in the recovery of charges by States surrendering prisoners in the future should any such be preferred.

S. W. EDGERLEY,
Chief Secretary to Government.

To
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Judicial Commissioner in Sind,
All Political Agents,
All District Magistrates,
The Chief Presidency Magistrate, Bombay,
The Inspector-General of Police, Bombay Presidency,
The Commissioner of Police, Bombay,
The Accountant General, Bombay,
The Judicial Department of the Secretariat,
The Public Works Department of the Secretariat (Railway),
The Resident at Baroda (by letter).

No 8469 of 1903

Dharwar 18th December 1903

Copy forwarded for information to the Dewan of Savanur

H Y Gambhekar
Headclerk
Dr No 7 38

Dr

Processes.

Sent for service to a district the language of which is different from that of the Court issuing them — to be accompanied by English translation.

No. 5301 of 1888.

JUDICIAL DEPARTMENT.

Bombay Castle, 26th September, 1888.

Letter from the Commissioner, C. D., No. P.-883, dated 4th June, 1888—States that he understands that the District Magistrates in his Division are more or less put to inconvenience in consequence of their receiving for service summonses from other parts of India, written in Urdu and accompanied only by a mere formal request that they may be served; that as a necessary consequence, the District Magistrates have to return the summonses for translation into English, and this procedure causes considerable delay before they are actually served on the parties concerned. Requests that, in order to obviate the inconvenience, the Government of India may be moved to lay down a rule that all processes sent for service from Administrative officers or Courts to any District, the vernacular of which is different from that in which the instrument is written, should invariably be accompanied by a translation in English of their contents.

Letter from the Secretary to the Government of India, Home Department, Judicial, No. 1281, dated 6th August, 1888—States, in reply to Government letter No. 3350, dated the 28th June last, that the suggestion made by the Commissioner, C. D., Bombay Presidency, is approved of by the Governor General in Council, and the Local Governments and Administrations and the High Court at Calcutta will be requested to issue the necessary orders for giving effect to it.

RESOLUTION.—The rule framed by the High Court, confirmed by this Government, sanctioned by the Government of India, and published in the *Bombay Government Gazette*, as Notification, Judicial Department, No. 5149, dated 18th September, 1888, is all that is required to give effect to the suggestion approved by the Government of India.

2. The Sadar Court in Sind should be requested to frame a similar rule for Sind, and the Chief Judge, Bombay Court of Small Causes, should be asked to do the same for his Court.

3. The Political Department should also be asked to give the necessary instructions for Courts in provinces subject to political supervision.

(Signed) J. J. HEATON,
Acting Under Secretary to Government.

To

The Registrar of Her Majesty's High Court of Judicature, Appellate Side (by letter),
The Registrar and Prothonotary, Her Majesty's High Court, Original Side (by letter),
The Commissioner in Sind,
The Commissioner, C. D.,
The Commissioner, N. D.,
The Commissioner, S. D.,
The Judge of the Sadar Court in Sind,
The Chief Judge of the Court of Small Causes, Bombay,
The District Judges,
The District Magistrates,
The Political Department.

No. of 1888.

Copy forwarded for information and guidance to

No. 6813.

POLITICAL DEPARTMENT.

Bombay Castle, 12th October 1888.

RESOLUTION.—Copy should be forwarded to all Political officers with an intimation that Courts in Native States which have the privilege of having their processes served in British territory should follow the rule published by Government Notification No. 5149, dated 18th September 1888, at page 763 of the *Bombay Government Gazette* of the 20th idem.

W. LEE-WARNER,
Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, C. D.,
The Commissioner, N. D.,
The Commissioner, S. D.,
All Political officers (except the Political Resident, Aden and the Agent for Sardars in the Deccan).

No 4170 of 1888

20th October 1888

Copy forwarded for information and guidance to the Nawabsaheb of Savanur.

J. N. Shum
ag Collector and Pol. agent.

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[illegible]

[illegible]

Bills.

Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan Law.

No. 4901.

JUDICIAL DEPARTMENT.

Bombay Castle, 3rd July 1897.

Letter to the Secretary to the Government of India, Legislative Department, No. 5404, dated the 7th August 1896—Communicating the opinion of this Government and the opinions of the Honourable the Judges of the High Court and of certain officers and gentlemen consulted by this Government on the Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan Law.

Letter from the Secretary to the Government of India, Legislative Department, No. 448, dated the 26th February 1897 :—

"Referring to your letter No. 5404, dated the 7th August 1896 (Judicial Department), I have the honour, by direction of the Select Committee to which the Bill to render it permissive to the members of the Memon Community to declare themselves subject to Muhammadan law has been referred, to forward copies of notes by the Honourable Mr. R. M. Sayani and the Honourable Nawab Amirudin Ahmad Khan Bahadur, dated, respectively, the 6th January and 8th February last, and to state that it is considered desirable that further enquiry should be made with reference to the suggestions therein contained.

"2. I am to request that the Governor of Bombay in Council may be moved to take such steps as may be necessary in order to ascertain the views of the Memon Community on the proposals made in the papers now forwarded. The Honourable Mr. Sayani informs the Select Committee that he is intimately acquainted with the views of the Memons on this subject, and that a Bill on the lines he proposes would be readily accepted by the vast majority of the Community. It seems probable, however, that the effect of such a Bill would be to practically compel the acceptance of the Muhammadan law by the minority objecting to its application, as by declaring that they do not desire to be under that law as regards succession, they would lay themselves open to the reproach of openly avowing themselves not to be Muhammadans, but unbelievers. The possible result of legislation on the lines now suggested should, I am to state, be put clearly to the Community before their views are taken. I am to add that in the opinion of the Select Committee it is desirable that the views of the Memon Community at large, and not merely those of representative men in that Community, should, if possible, be ascertained with reference to these new proposals."

Letter from the Commissioner of Police, Bombay, No. 2776—6, dated the 31st March 1897.

Memorandum from the Remembrancer of Legal Affairs, No. M.—49, dated the 8th May 1897.

Memorandum from the Oriental Translator to Government, No. 967, dated the 4th June 1897—Forwarding, with reference to Government memorandum No. 4175, dated the 1st June 1897, a Gujaráti translation of the draft public notice* to the Memon Community.

RESOLUTION.—The Gujaráti translation of the public notice* to the Memon Community should be forwarded to the Superintendent, Government Central Press, with a request that he will print it in the form of a handbill and supply copies to the officers concerned. The Commissioner of Police, Bombay, and all District Magistrates should be asked to take the necessary steps for the sufficient distribution of the handbills in localities where Memons reside, copies of the handbills being obtained from the Superintendent, Government Central Press.

2. The Reporter on the Native Press should be requested to arrange for the prominent publication of the notice in Gujaráti in the *Bombay Samachar*,

* Printed as an accompaniment to this Resolution.

Jam-e-Jamshed, Akhbari Soudagar, Praja Mitra and *Kutch Samachar*. It should appear in each of these papers three times at intervals of about a week.

3. The District Magistrates in the Mofussil and the Collector of Bombay should be requested, in submitting to Government any petitions which they may receive in pursuance of the notice, to report, so far as possible, on the authenticity of the petitions, and in verification of any assertions of local custom or other matters which may seem to require elucidation.

(Signed) S. L. BATCHELOR,
Under Secretary to Government.

To
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Superintendent, Government Central Press (with the Gujaráti translation of the notice),
The Commissioner of Police, Bombay,
All District Magistrates,
The Collector of Bombay,
The Reporter on the Native Press,
The Remembrancer of Legal Affairs,
The Political Department,
The Financial Department.

Dharwar
14 July 1897.

No. 5292 of 1897.

Copy forwarded for information and guidance to the Assistant Political Agent.

2 Copies of the hand-bill referred to in para 1 have been indented for and will be sent on receipt. They should be distributed to the members of the Memon Community residing in the State.

INWARD No. 15 JUL. 97 217

Collector & District Magistrate
Dharwar.

hand bills sent on 28.7.97

Hand bill sent to Sirsi with S.R. 9.7 10.8.97

Accompaniment to Government Resolution, Judicial Department, No. 4901, *dated the* 3rd *July* 1897.

PUBLIC NOTICE TO THE MEMON COMMUNITY.

The Government of Bombay, by desire of the Government of India, wishes to draw the attention of all members of the Community known as Memons to the following matter :—

It has been held by the Courts of Law that certain sections of the Memon Community are in matters of succession and inheritance still governed by Hindu law and custom instead of by the Muhammadan law. It has, therefore, been represented to the Government of India that this position is anomalous and that legislation should be undertaken so as to place the entire Memon Community on a uniform footing as to the law by which it should be governed. With this object in view a Bill has been drawn up rendering it permissive to individual members of the Memon Community to secure to themselves, by means of a declaration, the application of the Muhammadan law as established in the Hanafi School on the subject of succession and inheritance. The Bill at the same time provides (1) that a declaration made by a father shall bind his children (if any) who are minors at the time of such declaration or are born thereafter, (2) that a declaration once made shall be irrevocable, (3) that after such declarations have been made by the father and by any one of his sons, all the lineal descendants of such son shall be bound thereby, and (4) that nothing in the proposed enactment shall affect the rights of any member of a declarant's family other than the children and lineal descendants just referred to.

2. It has now been represented that the Bill in question is open to objection on account of its imposing on Memons born in the Mussalman faith the necessity of a legal declaration in order to enable them to obtain their religious rights and that such a declaration places them in an anomalous position as a similar declaration is required to be made by converts to Islam at the time of their embracing the Muhammadan faith. The Memon Community in India is divided into two sects, the Halai Memons and the Cutchi Memons. The former without exception follow the Muhammadan law in all respects and are not therefore affected by the proposed legislation. As regards the Cutchi Memons it has been pointed out that a large majority of them also follows or has expressed a desire to follow the Muhammadan law in all respects, but that a small minority, though following the Muhammadan law in all other respects, is desirous of

adhering in matters of testamentary and intestate succession to certain customs derived from the Hindu law. It is urged that the wishes of the majority who desire to be governed in all respects according to the Muhammadan law should prevail over the wishes of the dissenting minority and that the Muhammadan law of inheritance and succession should be declared by legislation to apply to the whole of the Memon Community and that the onus of making a declaration should rest not upon those who are willing to accept the Muhammadan law on these subjects but upon the small minority who desire to retain Hindu customs in matters relating to succession.

3. It seems possible, however, that the effect of such a measure would be to practically compel the acceptance of the Muhammadan law by the minority objecting to its application, as by declaring that they do not desire to be under that law as regards succession they would lay themselves open to the reproach of openly avowing themselves other than orthodox Mahomedans. It is therefore desired that the possible result of legislation on the lines now suggested should be clearly put before the entire Memon Community and their views ascertained. All persons, whether male or female, who have attained the age of 18, who are likely to be affected by the proposed legislation and who have any objections to urge to the aforesaid provision of the proposed Bill, under which the onus of making a declaration will lie upon those Memons who desire to be governed by Hindu customs, are hereby invited to make known their objections in writing to the District Magistrate of the District in which they reside, or in the case of Bombay to the Collector of Bombay, before the 30th day of September 1897.

S. W. EDGERLEY,
Secretary to Government.

3rd July 1897.

Probates.

Submission of monthly returns of - by Political officers.

No. 5828 of 1891.

Judicial Department.

Bombay Castle, 3rd November, 1891.

Resolution of Government in the Political Department, No. 6892, dated the 15th September, 1891 -- Forwarding to the commissioners and all political officers, copies of a Notification by the Government of India (No. 3542-1., dated the 27th August, 1891), directing that the functions of a District Judge, under Section 64 of the Administrator-General's Act (II of 1874), as amended by section 13 of Act II of 1890, should, with respect to the property of European and Eurasian British Subjects who die leaving assets in Native states, be discharged by the Political Agents of those states.

Resolution. — Extract paragraph 3 of the letter from the Government of India, No. 16-1016, dated the 18th July, 1883, together with copy of paragraph

4 of the despatch from the Secretary of State, No. 2, judicial, dated the 11th January, 1883, and the form appended thereto should be forwarded to all Political Officers with a request that they will submit to Government in the Judicial Department at the beginning of each month a return in the form, prescribed by the Secretary of State, showing the grants of probate and administration made by them during the preceding month in the case of the estates of all persons of European extraction, whether British subjects or not.

2 If no grants are made in any month, a blank return or a report that no grants were made should be submitted.

(signed) A. C. Logan,

Acting Under Secretary to Government.

To

The Commissioner in Sind,
The Commissioner, No. D.,
The Commissioner, C.D.,
The Commissioner, S.D.,
All Political Officers,
} With the extracts and the form.

The Administrator-General, Bombay
The Political Department.

No. 414 of 1892

Camp Tedas, 18th January 1892.

Copy with accompaniment forwarded for information and guidance to the Nawab of Savanur.

A. W. Barney.
Collector & Pol. agent.

To be returned.

Recd 21/1/92.

No. 24 of 1891-92.

Savanur 21st January 1892

Returned with compliments to the Collector and Political Agent Dharwar.

Nawab of Savanur.

Extract paragraph 3 of the letter from the Government of India, No. 16 – 1016, dated the 18th July 1883.

Paragraph 3. Adverting to paragraph 4 of the Secretary of State's despatch, I am to request that the necessary instructions may be issued to the District Courts in the Bombay Presidency to prepare a monthly Calender in the form appended, commencing from January 1883, showing the grants made by those courts of probates and administration in the cases of the estates of all persons of all persons of European extraction, whether British subjects or not. These calendars should be submitted through your office to the Under Secretary of State for India. I am further to request that orders may be issued to District courts for the early preparations of returns showing similar grants made by those courts from the date on which the Indian Succession Act of 1865 came into operation up to 31st December 1882. These returns, when completed,

should also be sent to the Under Secretary of State for India through your office.

Extract paragraph 4 of a despatch from Her Majesty's Secretary of State for India, No. 2 Judicial, dated the 11th January, 1883, to His Excellency the Most Honourable the Governor-General of India in Council.

Paragraph 4. As regards probates and administrations granted by courts other than High Courts, I think that, as it has not hitherto been the practice of this office to supply the public with information as to these, it is not necessary now to direct that copies should be transmitted. But I request that a return in the form of the Calendar referred to in the despatch, showing the grants by such courts of probate and administration in the cases of the estates of Europeans, may be forwarded periodically to this office; and further, that a return, showing the like grants by District

Courts since the coming into force of the India Succession Act of 1865, may be prepared and forwarded as soon as possible.

Grants of Probate or administration made in estates of all persons of European Extraction, whether British subjects or not, by the District Court of in the Presidency / Province during the month of 18

Index letter	Name and description of Testator or intestate.	Date of death.	Place of death.	Nature and extent of Grant.	Date of Grant.	Amount or Value of estate.	Name & description of applicant.	Remarks
						Rs.		

Dated the day of

District Judge.

Suits.

Instructions for the expeditious disposal of suits against Government.

No. 5221.

JUDICIAL DEPARTMENT.

Bombay Castle, 16th July 1897.

CIRCULAR.

It having been brought to the notice of Government that delays often take place in the disposal of suits against Government owing to frequent adjournments applied for by Government Pleaders for want of instructions, the attention of all heads of offices under the several Departments of the Secretariat is invited to the rules for the defence of suits, and especially (*i*) to that part of paragraph 4 of Rule 8 which provides that in cases of threatened action which are clearly defensible the officer concerned should at once proceed, as far as possible, to collect the information and papers referred to in Rules 11 and 12, and (*ii*) to the provision of Rule 12 that the papers mentioned therein should be submitted to the head of his department by the officer concerned *within one month* from the date of his being first apprised of the institution of the suit. Government wish it generally to be understood that all officers concerned in the defence of suits should do all in their power to obviate the necessity of making applications for adjournments under Rule 13 and that such applications should only be made when they are necessary in the interests of Government.

(Signed) S. L. BATCHELOR,
Under Secretary to Government.

To

All Heads of Offices under the Judicial Department and all other Departments of the Secretariat,
All Departments of the Secretariat.

No. 6730 of 1897.

Dharwar 31 July 1897

with 1 s copy.

Copy forwarded for information and guidance to the Assistant Political Agent.

Head Clerk

Spare copy to view
no 191
29.8.97

J. R. 238
1-8-97

62

European Vagrancy Act.

Review of the reports on the working of the — for the year ending the 31st December 1900.

No. 3406.

JUDICIAL DEPARTMENT

Bombay Castle, 29th May 1901.

Letter from the President, Committee of Management, Government Female Work-house, Bombay, No. 301, dated the 8th February 1901—Forwarding a report from the Governor, Government Female Work house, Bombay, on the working of that Institution for the year ending the 31st December 1900.

Letter from the Accountant General, No. B.K.—1201, dated the 15th February 1901—Submitting, with reference to Government Resolution No. 3868, dated the 21st July 1891, the annual statement marked A, showing the amount disbursed from the different Treasuries in the Bombay Presidency on account of European vagrants during the year 1900, and also two other statements marked B and C, showing how the figures have been distributed and classified in the accounts.

Letter from the President, Committee of Management, Government Male Work-house, Bombay, No. 355, dated the 19th February 1901—Forwarding a report from the Governor, Government Male Work-house, Bombay, showing the operation of the Vagrancy Act during the year ending the 31st December 1900.

Reports submitted by the District Magistrates and the Political Agents in the Bombay Presidency, the Political Resident, Aden, and the Chief Presidency Magistrate, Bombay, showing the operation of the Vagrancy Act in their respective charges during the year ending the 31st December 1900.

RESOLUTION.—The number of male vagrants dealt with during the year was 84 (excluding 2 extra inmates) as compared with 93 in 1899. Of the 72 newly admitted, 62 were sent to the Work-house by the Presidency Magistrates in Bombay, 5 were received from Poona, 2 from Ahmedabad, 2 from Khándesh and 1 from Karáchi. It appears, however, from the statements received from the District Magistrates of Poona, Khándesh and Ahmedabad that 6 vagrants were sent to the Work-house from the Poona District and only 1 from the Khándesh District, while none was sent from the Ahmedabad District. The discrepancies should now be explained.

2. Of the 84 vagrants dealt with during the year, 15 were discharged to employment and 3 to the care of friends or relatives, 9 were shipped as sailors or firemen, 1 went to live at the Seamen's Rest, 1 was sent to the Strangers' Home, 6 were discharged as being in possession of sufficient means and 2 are shown as released under the orders contained in Government memorandum No. 666-M.—7003-B., dated the 15th October 1900. Of the rest 17 were sentenced to imprisonment, 16 deserted and were not re-arrested, 2 were sent to a Lunatic Asylum and 3 were deported, 9 being left in the Work-house at the close of the year. The 2 vagrants reported to have been released under the orders quoted are Thomas Mathews and Charles Berrill, who it was directed should be allowed to remain in the Work-house, but shown separately in the Annual Vagrancy Returns in view of the letter from the Government of India, Home Department, No. 2592, dated the 30th October 1899. The attention of the Governor, Government Male Work-house, should in this respect be invited to paragraph 2 of Government Resolution No. 6074, dated the 5th September 1900.

3. The total cost to Government of carrying out the Vagrancy Act in this Presidency, excluding expenditure upon the Government Female Work-house,

was Rs. 8,385-2-4, being Rs. 684-8-0 more than in the previous year. Only 3 female vagrants were dealt with during the year at a cost of Rs. 243-12-3.

4. Forty-two applicants for assistance were sent away from Aden at a cost of Rs. 1,912-12-0.

5. It should be explained why deportation charges incurred in the Karáchi District are not reported to Government.

(Signed) A. S. A. WESTROPP,
Acting Under Secretary to Government.

To

The President, Committee of Management, Government Work-house, Bombay,
The Governor, Government Male Work-house, Bombay,
The Governor, Government Female Work-house, Bombay,
The Commissioner in Sind,
The Commissioner, N. D.,
The Commissioner, C. D.,
The Commissioner, S. D.,
The Commissioner of Police, Bombay,
The Chief Presidency Magistrate, Bombay,
The Political Resident, Aden,
All District Magistrates (including those in Sind),
All Political Agents,
The Deputy Commissioner, Thar and Párkar,
The Deputy Commissioner, Upper Sind Frontier,
The Accountant General,
The Political Department,
The General Department (for the Compiler of the General Administration Report).

12 June 1901

No. 4-109 of 1901.

Copy forwarded for information ~~and guidance~~ to The Assistant Political Agent.

Head-Clerk.

in no 495 / 14-6-01

no 511 of 1901 17th June 1901

Forwarded with compliments to the Diwan of Savanur for information and record

File 2076/1901

Alwar
AP Agent

R Dafshi

The Devan of Sawnoor
Vellayadurga
Chetti

5th December 1901

15/12/01

Act No. XI of 1901.

ಲೆಜಿಸ್ಲೆಟಿವ್ಹ ಡಿಪಾರ್ಟಮೆಂಟ.

ಹಿಂದುಸ್ಥಾನದ ಗವ್ಹರ್ನರ ಜನರಲ್ ಇನ್ ಕೌನ್ಸಿಲ್ ಇವರ ಕೆಳಗೆ ಬರೆದ ಆಕ್ಟನ್ನು ಅಲಿಜನಾಬ ಗವ್ಹರ್ನರ ಜನರಲ್ ಇವರು ತಾರೀಖು ತೀನೇ ಮಾಹೆ ಅಕ್ಟೋಬರ ಸನ್ ೧೯೦೧ನೇ ಇಸವಿಯ ದಿವಸ ಪ್ರಸಿದ್ಧ ಮಾಡಿದರು, ಅದನ್ನು ಎಲ್ಲ ಜನರಿಗೆ ಗೊತ್ತು ಪಡಿಸುವದಕ್ಕಾಗಿ ಇದರ ಮೂಲಕ ಪ್ರಸಿದ್ಧ ಮಾಡಿರುತ್ತದೆ:

ಸನ್ ೧೯೦೧ನೇ ಇಸವಿಯ ೧೧ನೇ ಆಕ್ಟ.

ಕೆಲವು ಆಕ್ಟಗಳ ನಿರೂಪಣೆಯನ್ನು ಸುಲಭ ಮಾಡುವ ಬಗ್ಗೆ ಮತ್ತು ಉಪಯೋಗದಲ್ಲಿರದ ಕೆಲವು ಆಕ್ಟಗಳನ್ನು ಸುಧಾರಿಸುವ ಮತ್ತು ರದ್ದುಮಾಡುವ ಬಗ್ಗೆ ಆಕ್ಟ.

ಇ ಆಕ್ಟಿನ ಒಂದನೇ ಪರಿಶಿಷ್ಟಿನಲ್ಲಿ ಹೇಳಿದ ಆಕ್ಟಗಳ ನಿರೂಪಣೆಯನ್ನು ಸುಲಭ ಮಾಡುವದು ಯೋಗ್ಯವಿದ್ದದರಿಂದ;

ಮತ್ತು ಇ ಆಕ್ಟಿನ ಎರಡನೇ ಪರಿಶಿಷ್ಟಿನಲ್ಲಿ ಹೇಳಿದ ಆಕ್ಟಗಳಲ್ಲಿ ಕೆಲವು ಕಿರಕೋಳು ಸುಧಾರಣೆಗಳನ್ನು ಮಾಡುವದು ಸಹ ಯೋಗ್ಯವಿದ್ದದರಿಂದ;

ಮತ್ತು ಇ ಆಕ್ಟಿನ ಮೂರನೇ ಪರಿಶಿಷ್ಟಿನಲ್ಲಿ ಹೇಳಿದ ಯಾವ ಆಕ್ಟಗಳ ಕೆಲಸ ಕೀರಿ ಹೋಗಿದೆಯೋ ಯಾ ಯಾವವುಗಳ ಅಮಲು ನಡಿಯುವಂಥಾದ್ದು ಸ್ಪಷ್ಟವಾಗಿ ವಿಶೇಷ ರೀತಿಯಿಂದ ರದ್ದುಮಾಡದಲ್ಲೇ ಬೇರೆ ರೀತಿಯಿಂದ ಬಂದು ಆಗಿದೆಯೋ, ಯಾ ಯಾವವು ಬಹಳ ದಿವಸವಾದದರಿಂದ ಅಥವಾ ಬೇರೆ ರೀತಿಯಿಂದ ಅನವಶ್ಯಕವಾಗಿರುವವೋ, ಅಂಥ ಕೆಲವು ಆಕ್ಟಗಳನ್ನು ಸ್ಪಷ್ಟವಾ

[*Price—Nine Pies.*]

ಗಿ ಮತ್ತು ವಿಶೇಷ ರೀತಿಯಿಂದ ರದ್ದು ಮಾಡುವದು ಸಹ ಯೋಗ್ಯವಿದ್ದದರಿಂದ;

ಇದರ ಮೂಲಕವಾಗಿ ಕೆಳಗೆ ಬರೆದ ಪ್ರಕಾರ ಗೊತ್ತು ಪಡಿಸುವದರಲ್ಲಿ ಬರುತ್ತದೆ:

ಹೆಸರು ಮತ್ತು ಶುರುವಾತಿಯು.

೧. (೧) ಇ ಅಕ್ಟಿಗೆ ಸನ್ ೧೯೦೧ನೇ ಇಸವಿಯ ರದ್ದುಮಾಡುವ ಮತ್ತು ಸುಧಾರಿಸುವ ಅಕ್ಟೆಂದನ್ನಬಹುದು; ಮತ್ತು

(೨) ಅದು ಕೂಡಲೆ ಅಮಲಿನಲ್ಲಿ ಬರುವದು.

ಕೆಲವು ಅಕ್ಟುಗಳ ನಿರೂಪಣೆಯು.

೨. ಮೊದಲನೇ ಪರಿಶಿಷ್ಟಿನ ಮೊದಲಿನ ಮೂರು ಕೋಷ್ಟಕಗಳಲ್ಲಿ ಬರೆದ ಪ್ರತಿ ಒಂದು ಅಕ್ಟನ್ನು, ಎರಡನೇ ನಿರೂಪಣೆಯ ಪದ್ಧತಿಗೆ ಬಾಧೆ ಬಾರದಂತೆ, ಸದರಿ ಪರಿಶಿಷ್ಟಿನ ನಾಲ್ಕನೇ ಕೋಷ್ಟಕದಲ್ಲಿ ಅದರ ಸಲುವಾಗಿ ಹೇಳಿದ ಸಂಕ್ಷಿಪ್ತ ಹೆಸರಿನಿಂದ ಎಲ್ಲ ಕಾರಣಗಳಿಗಾಗಿ ನಿರೂಪಿಸಬಹುದು.

ಸುಧಾರಿಸಿದ ಅಕ್ಟುಗಳು ಮತ್ತು ರದ್ದು ಮಾಡಿದ ಅಕ್ಟುಗಳು.

೩. (೧) ಎರಡನೇ ಪರಿಶಿಷ್ಟಿನಲ್ಲಿ ಹೇಳಿದ ಅಕ್ಟುಗಳು ಅದೇ ಪರಿಶಿಷ್ಟಿನ ನಾಲ್ಕನೇ ಕೋಷ್ಟಕದಲ್ಲಿ ಹೇಳಿದಷ್ಟರ ಮಟ್ಟಿಗೆ ಮತ್ತು ಹೇಳಿದ ರೀತಿಯಿಂದ ತಬದಿಲ ಮಾಡಲ್ಪಟ್ಟಿರುತ್ತವೆ.

(೨) ಮೂರನೇ ಪರಿಶಿಷ್ಟಿನಲ್ಲಿ ಹೇಳಲ್ಪಟ್ಟ ಅಕ್ಟುಗಳು ಅದೇ ಪರಿಶಿಷ್ಟಿನ ನಾಲ್ಕನೇ ಕೋಷ್ಟಕದಲ್ಲಿ ಹೇಳಿದಷ್ಟರ ಮಟ್ಟಿಗೆ ಇದರ ಮೇಲಿಂದ ರದ್ದು ಪಡಿಸಿರುತ್ತವೆ.

ಬಚಾವು.

೪. ಇ ಅಕ್ಟಿನ ಮೇಲಿಂದ ಯಾವದಾದರೂ ಅಕ್ಟು ರದ್ದು ಮಾಡಲ್ಪಡುವದರಿಂದ, ಯಾವ ಅಕ್ಟಿನಲ್ಲಿ ಅಥವಾ ಕಾಯದೆಯಲ್ಲಿ ಸದರಿ ರದ್ದು ಪಡಿಸಿದ ಅಕ್ಟನ್ನು ಲಾಗೂ ಮಾಡಿದ್ದಿತು, ಸಾಮಿಲು ಮಾಡಿದ್ದಿತು ಅಥವಾ ಅದರ ಸಂಬಂಧ ಹೇಳಿದ್ದಿತು ಅಂಥ ಅಕ್ಟಿಗೆ ಅಥವಾ ಕಾಯದೆಗೆ ಅದರಿಂದ ಬಾಧೆ ಬರುವದೆಂದು ತಿಳಿಯಬಾರದು;

ಮತ್ತು ಪೂರ್ವದಲ್ಲಿ ಮಾಡಿದಂಥ ಅಥವಾ ಆಗಗೊಟ್ಟಂಥ ಯಾವದಾದರೂ ಸಂಗತಿಯ, ಅಥವಾ ಸಂಪಾದಿಸಿದ, ಉತ್ಪನ್ನವಾದ ಅಥವಾ ಬಂದಂಥ ಯಾವದಾದರೂ ಹಕ್ಕಿನ, ದಾವೆಯ, ಅವಶ್ಯಕತೆಯ ಅಥವಾ ಪಾತ್ರತೆಯ, ಅಥವಾ ಅವುಗಳ ಸಂಬಂಧದ ಯಾವದಾದರೂ ಉಪಾಯದ ಅಥವಾ ನಡಿಸಿದ ಕೆಲಸದ, ಅಥವಾ ಪೂರ್ವದಲ್ಲಿ ಕೊಟ್ಟಂಥ ಸಾಲದಿಂದ, ಜುಲುಮಾನೆಯಿಂದ, ಜವಾಬದಾರಿಯಿಂದ, ಪಾತ್ರತೆಯಿಂದ, ದಾವೆಯಿಂದ, ಬೇಡುಷಿಕೆಯಿಂದ ಅಥವಾ ಯಾವದಾದರೂ ಹೂದಿಂದ ಶಿಕ್ಷ ಬಿಡುಗಡೆಯ ಅಥವಾ ಬಿಟ್ಟ ಬಿಡುವಿಕೆಯ, ಅಥವಾ ಯಾವದಾದರೂ ಹಿಂದಕ್ಕೆ ಆದಂಥ ಕ್ಲೇಶದ ಯಾ ಸಂಗತಿಯ, ಕಾಯದ್ಯೇಶ್ಯರತನಕ್ಕೆ, ಬೇಕಾಯದ್ಯೇಶ್ಯರತನಕ್ಕೆ ಅಥವಾ ಪರಿಣಾಮಕ್ಕೆ ಇ ಅಕ್ಟಿನ ಮೇಲಿಂದ ಬಾಧೆ ಬರಲಿಕ್ಕಿಲ್ಲೆಂದು ತಿಳಿಯಬೇಕು;

ಹಾಗಯ್ಯ, ಇ ಅಕ್ಟಿನ ಮೇಲಿಂದ ಯಾವದಾದರೂ ಮೂಲತತ್ವವು ಅಥವಾ ಕಾಯದೆಯ ನಿಯಮವು, ಅಥವಾ ಸ್ಥಾಪಿಸಲ್ಪಟ್ಟ ಅಧಿಕಾರವು, ಪದ್ಧತಿಯ ಅಥವಾ ಜಾಬ ಜಬಾಬಿನ ಮಾರ್ಗವು, ಮಹಿಮಾಟ ಅಥವಾ ರಿವಾಜು, ಅಥವಾ ಇಗಿರುವ ಸಂಪ್ರದಾಯವು, ನಡತೆಯು, ವಿಶೇಷ ಅಧಿಕಾರವು, ಅಟಂಕು,

ಮಾಫಿ, ಹುದ್ದೆ ಯಾ ನೇಮಣೂಕು, ಇವು ಇದರ ಮೇಲಿಂದ ರದ್ದು ಪಡಿಸಿದ ಯಾವದಾದರೂ ಆಕ್ಟಿನ ಮೇಲಿಂದ ಯಾವದಾದರೂ ರೀತಿಯಿಂದ ಕಾಯಮ ಮಾಡಿದ್ದವಿರಲಿ, ಮನ್ನಿಸಿದವಿರಲಿ ಅಥವಾ ಹೊರಟಿದ್ದವಿರಲಿ, ಅವುಗಳಿಗೆ ಬಾಧ ಬರುತ್ತದೆಂದು ತಿಳಿಯಬಾರದು;

ಹಾಗೆಯೇ, ಇ ಆಕ್ಟಿನ ಮೇಲಿಂದ ಯಾವದಾದರೂ ಆಕ್ಟನ್ನು ರದ್ದು ಪಡಿಸಿದ ಮೂಲಕ ಇಟ್ಟಿರವುದ ಅಥವಾ ಅಮಲ ಜಾರಿಯಲ್ಲಿರದಂಥ ಯಾವ ದಾದರೂ ಅಧಿಕಾರ, ಹುದೆ, ನಡತೆ, ಪಾತ್ರತೆ, ಹಕ್ಕು, ಸತ್ತ, ವಿಶೇಷ ಅಧಿಕಾರ, ಅಟಂಕು, ಮಾಫಿ, ರೀತಿ, ವಹಿವಾಟು, ಪದ್ಧತಿಯು ಅಥವಾ ಇನ್ನಾವದಾ ದರೂ ಸಂಗತಿ, ಇವುಗಳನ್ನು ಗೊತ್ತು ಪಡಿಸುವದರಲ್ಲಿ ಬರುತ್ತದೆಂದು ಅಥವಾ ಪುನಃ ಚಾಲೂ ಮಾಡುವದರಲ್ಲಿ ಬರುತ್ತದೆಂದು ತಿಳಿಯಬಾರದು.

ಮೊದಲನೇ ಪರಿಶಿಷ್ಟ.

ಆಕ್ಟುಗಳ ನಿರಾಪಣೆಯು.

[ಕಲಮು ೨ ನೋಡಿ.]

[ಇದರಲ್ಲಿ ಕೊಟ್ಟ ಕಾಯದೆಗಳು ಮತ್ತು ಆಕ್ಟುಗಳು ಮುಂಬಯಿ ಇಲಾಖೆಗೆ ಲಾಗೂ ಇಲ್ಲ ದಿದ್ದದರಿಂದ ಅವುಗಳ ಭಾಷಾಂತರವಾಗಿಲ್ಲ.]

ಎರಡನೇ ಪರಿಶಿಷ್ಟ.

ಸುಧಾರಿಸಿದ ಕಾಯದೆಗಳು.

[ಕಲಮು ೩, ಪೋಟ ಕಲಮು (೧) ನೋಡಿ.]

ಭಾಗ ೧.—ಮದ್ರಾಸಿನ ಕಾಯದೆಗಳು.

[ಭಾಷಾಂತರವಾಗಿಲ್ಲ.]

ಭಾಗ ೨.—ಗವ್ಹರ್ನರ ಜನರಲ್ ಇನ್ ಕೌನ್ಸಿಲ್ಲವರ-ಆಕ್ಟು.

೧	೨	೩	೪
ವರ್ಷ.	ನಂಬರು	ಸಣ್ಣ ಹೆಸರು.	ಸುಧಾರಣೆ.
೧೮೮೯	೧೩	ಶಿಂಬಿ ಮತ್ತು ಅಶ್ವ ಕುಷ್ಟರೋಗಗಳ ಆಕ್ಟು.	ಕಲಮು ೨, ಪೋಟ ಕಲಮು (೧), ಇದರಲ್ಲಿ "ಅದು" ಈ ಶಬ್ದದ ನಂತರ "ಸಾಧಾರಣವಾಗಿ ಅ ಥವಾ ಯಾವದಾದರೂ ಸ್ಥಾನಿಕ ಕ್ಷೇತ್ರದ ಸಂಬಂಧ ದಿಂದ" ಈ ಶಬ್ದಗಳನ್ನು ದಾಖಲು ಮಾಡಬೇಕು.

ಭಾಗ ೩.—ಮದ್ರಾಸಿನ ಗವರ್ನರ್ ಇನ್ ಕೌನ್ಸಿಲ್ಲವರ ಆಕ್ಟುಗಳು.

[ಭಾಷಾಂತರವಾಗಿಲ್ಲ.]

ಮೂರನೇ ಪರಿಶಿಷ್ಟ.

ರದ್ದು ಮಾಡಿದ ಆಕ್ಟುಗಳು.

[ಕಲಮು ೩, ಪೋಟ ಕಲಮು (೨) ನೋಡಿ.]

ಭಾಗ ೧.—ಮದ್ರಾಸಿನ ಕಾಯದೆಗಳು.

[ಭಾಷಾಂತರವಾಗಿಲ್ಲ.]

ಭಾಗ ೨.—ಗವರ್ನರ ಜನರಲ್ ಇನ್ ಕೌನ್ಸಿಲ್ಲವರ ಆಕ್ಟುಗಳು.

೧	೨	೩	೪
ವರ್ಷ.	ನಂಬರು	ವಿಷಯ ಅಥವಾ ಸಣ್ಣ ಹೆಸರು.	ಎಷ್ಟು ರದ್ದು ಮಾಡಲ್ಪಟ್ಟಿತು.
೧೮೫೫	೧೦	ಮದ್ರಾಸ ಮತ್ತು ಮುಂಬಯಿ ಇಲಾಖೆಗಳೊಳಗಿನ ಈಸ್ಟ ಇಂಡಿಯಾ ಕಂಪನಿಯ ಕೋರ್ಟುಗಳಲ್ಲಿ ಸಾಕ್ಷಿದಾರರು ಹಾಜರಾಗುವ ವಿಷಯದ ಮತ್ತು ಅವರ ಸಾಕ್ಷಿಯನ್ನು ತೆಗೆದು ಕೊಳ್ಳುವ ವಿಷಯದ ಕಾಯದೆಯನ್ನು ಸುಧಾರಿಸುವ ಒಗ್ಯೆ ಆಕ್ಟು.	ರದ್ದು ಆಗದೆ ಇದ್ದಷ್ಟು.
೧೮೭೪	೧೫	ಸನ್ ೧೮೭೪ನೇ ಇಸವಿಯ ಸ್ಥಾನಿಕ ವ್ಯಾಪ್ತಿಯ ಆಕ್ಟು.	ಎರಡನೇ ಪರಿಶಿಷ್ಟದ ಯಾವ ಭಾಗವು ಸನ್ ೧೮೦೨ನೇ ಇಸವಿಯ ಮದ್ರಾಸಿನ ೫ನೇ ಮತ್ತು ೧೩ನೇ ಕಾಯದೆಗಳಿಗೆ ಸಂಬಂಧಿಸಿರುತ್ತದೋ ಆ ಭಾಗವು. ಎರಡನೇ ಮತ್ತು ಮೂರನೇ ಪರಿಶಿಷ್ಟಗಳ ಯಾವ ಭಾಗವು ಸನ್ ೧೮೫೫ನೇ ಇಸವಿಯ ೧೦ನೇ ಆಕ್ಟು (ಸಾಕ್ಷಿಯನ್ನು ಕೊಡುವದಕ್ಕೆ ಇಲ್ಲೆಂಬುವ ಸಾಕ್ಷಿದಾರರು) ಇದಕ್ಕೆ ಸಂಬಂಧಿಸಿರುತ್ತದೋ ಆ ಭಾಗವು.
೧೮೭೯	೧೬	ಸನ್ ೧೮೭೯ನೇ ಇಸವಿಯ ಉಪ್ಪು ಕಳುಹಿಸುವ ಆಕ್ಟು.	೧ನೇ ಕಲಮಿನೊಳಗಿನ "ಮತ್ತು ಅದು ಪೊವ್ಮಿಗಲ್ಲೆ ಅಮಲುಜಾರಿಯಲ್ಲಿ ಬಂದೀತು" ಈ ಶಬ್ದಗಳು.
೧೮೯೫	೧೭	ಸನ್ ೧೮೯೫ನೇ ಇಸವಿಯ ಮದುವೆಗಳನ್ನು ಕಾಯದೇಶೀರ ಪಡಿಸುವ ಬಾಬತು (ಬೆಂಗಳೂರ) ಆಕ್ಟು.	ಇಡೀ ಆಕ್ಟು.
೧೮೯೯	೮	ಸನ್ ೧೮೯೯ನೇ ಇಸವಿಯ ಹಿಂದುಸ್ಥಾನದ ಪಿಟ್ರೋಲಿಯಮ್ಮ ಆಕ್ಟು.	೫ನೇ ಕಲಮಿನ (೧)ನೇ ಪೋಟ ಕಲಮಿನೊಳಗಿನ "ಇದರಲ್ಲಿ ಮುಂದೆ ಗೊತ್ತು ಪಡಿಸಿದ ಪ್ರಕಾರ ಕೊಟ್ಟ" ಈ ಶಬ್ದಗಳು.

೧	೨	೩	೪
ವರ್ಷ.	ನಂಬರು	ವಿಷಯ ಅಥವಾ ಸಣ್ಣ ಹೆಸರು.	ಎಷ್ಟು ರದ್ದು ಮಾಡಲ್ಪಟ್ಟಿತು.
೧೮೯೯	೧೫	ಸನ್ ೧೮೯೯ನೇ ಇಸವಿಯ ಮದುವೆಗಳನ್ನು ಕಾಯ್ದೇಶೀರ ಪಡಿಸುವ ಬಾಬತು (ಪುದುಕೋಟೆ ಮತ್ತು ತ್ರಾವಣಕೋರ) ಆಕ್ಟು.	ಇಡೀ ಆಕ್ಟು.
೧೯೦೧	೨	ಸನ್ ೧೯೦೧ನೇ ಇಸವಿಯ ಹಿಂದುಸ್ಥಾನದ ಟೋಲಸಳ ವಿಷಯದ (ದಂಡಿನ ಸಂಬಂಧದ) ಆಕ್ಟು.	ಪರಿಶಿಷ್ಟಿನ ಯಾವ ಭಾಗವು ಸನ್ ೧೮೮೪ನೇ ಇಸವಿಯ ಮದ್ರಾಸಿನ ಲೋಕಲ್‌ಬೋರ್ಡುಗಳ ಆಕ್ಟಿಗೆ ಸಂಬಂಧಿಸಿರುತ್ತದೋ ಆ ಭಾಗವು.

ಭಾಗ ೩ — ಮದ್ರಾಸಿನ ಗವರ್ನರ ಇನ್ ಕೌನ್ಸಿಲ್‌ವರ ಆಕ್ಟುಗಳು.

[ಭಾಷಾಂತರವಾಗಿಲ್ಲ.]

ಎಚ್. ಡಬ್ಲ್ಯೂ. ಸಿ. ಕಾರ್ನಡಫ್,
ಆಫಿಶಿಯೇಟಿಂಗ್ ಸೆಕ್ರೆಟರಿ ನಿಸಬತ ಹಿಂದುಸ್ಥಾನ ಸರಕಾರ.

(True translation)

M. A. BAIG,

Oriental Translator to Government.

BOMBAY: PRINTED AT THE GOVERNMENT CENTRAL PRESS.

No 30 of 1896-97

From,

The Diwan and Subhedar

of Savanur.

To,

The Collector and Political Agent

Dharwar.

Savanur 22nd Jan 97

Sir,

Memorandum

With reference to your No. 350 dated the 13th Instant I have the honour to state that section 229A of the Civil Procedure code has not been declared to be applicable to my Court and to be

Sir,

Your most obedient servant

67

[illegible]

No. 5 of 1891-92.

From,

The Nawab of Savanur.

To

The Collector and Political Agent Dharwar.

Savanur 29th of September 1891.

Sir

Referring to your endorsement No. 4538 of 1891, I have the honor to state that the rules laid down in G. R. No 5071 of 27th June 1891, Political Department have been introduced into this state courts.

I have the honor to be
Sir
Your most sincere friend

Nawab of Savanur.

Below A. P. Agent's No 1153 dated 31-5-1901 forwarding the Govt. Resln. No 3481 Poll. department dated 10th May 1901 regarding the revision of the notifications of the Government of India establishing courts in the Native states for compliance.

Civil

No 295 of 1901
3rd June 1901.

Returned with compliments to the Assistant Political Agent.

2. The enclosed notifications do not require any corrections so far as this State is concerned.

M. Dewan Sawmy

No. 1285 of 1892.

Bombay 26th July 1892.

Memo.

The undersigned presents compliments to the Diwan of Savanur and, with reference to his letter of the 12 Instant, begs to inform him that the High Court Rules are out of print at present, but that a copy will be sent to him shortly, the new edition being in the Press.

A K Oliver

Acting Registrar.

Reed & recorded 1-8-92

70

Office copy.

No. 14 of 1891-92

From

The Diwan of Savanur.

To,

The Registrar of the High Court
of Bombay

Savanur Diwan's office,
12th of July 1892.

Sir,

I have the honor to request that you will have the goodness to cause a copy of the rules for the High Court of Bombay, to be sent to me, per V.P.P, at your early convenience.

I have the honor to be,
Sir,
your most obedient servant,

Diwan of Savanur.

No 13 of 1902

To,

The Supdt S. C. P.
Bombay
16th June 1902

Sir,

I have the honor to advise your address the remittance by P. O. order of Rs 22-8-0 on account of subscription payable in advance for the complete series of the Indian Law Reports for the year 1902 & request the favour of an acknowledgment.

I have &c

R D Jestin
Diwan

No. 2 of 1889-90.

From,

The Nawabsaheb,

Savanur

Execution of decrees.

To,

The Acting Collector and Political

Agent Dharwar,

Savanur Nawab's Office,

Dharwar 23rd August 1889.

Sir,

I have the honor to bring to your notice that the 2nd class subjudge of Hubli entertains objections to execute the decrees passed by the 1st class subjudge of Savanur on the grounds that he has no jurisdiction to execute the same as His Excellency the Viceroy and Governor-general in Council has not by his notification No 8671 dated 13th March 1885 published at page 418, Part I of the Bombay Government Gazette, been pleased to declare that

the decrees of the Court of the Zilla Judge may be executed in British India as if they had been made in British India, when sent thereto for execution.

By the F. D. Notification No 934 dated 9th July 1869, His Excellency the Viceroy and Governor-General in Council was pleased to recognize the Court of the Principal Sadar Amin of Savanur for the purposes of Section 284 of the Code of Civil Procedure (Act VIII of 1869).

The Court was again recognized by H. Excellency for the purposes of Section 229 of the Code of Civil Procedure Act No X of 1877, by the F. D. Notification No 40-1-J. dated the 12th March 1880 published at page 290 Part I of the Bombay Government Gazette but its name was omitted in the notification No 8671 dated 13th March 1885 which was published in

supersession of the abovementioned notificatio

The court of the Principal Sadar Amin Savanur has, since 1883, been designated the court of the 1st class Subjudge.

Upto this time the decrees of the court were executed in British India, without any objections being raised.

Money transactions are going on, on a large scale between the Savanur state and the villages of British India surrounding the state. It is therefore indispensably necessary that the decrees passed by the courts of Savanur should be executed in British India when sent thereto for execution.

I hope, therefore, that you shall have the goodness of writing to the Local Government for its favor recommending the Supreme Government to declare, under section 434 of the Code of civil Procedure Act No XIV of 1882, that

the decrees of the marginally mentioned

The court of the 1st class Subjudge of Sawanur, Sawanur Nawab Saheb's Court.	civil courts situate within the territories of Savanur State in alliance with Her Majesty and not established by the authority

of H. E. the Governor-General in Council may also be executed in British India as if they had been made in British India.

I have the honor to be,

Sir,

Your most sincere friend,

Nawab Saheb Sawanur,

No. 42 of 1890-91.

Civil

From,

The Nawab of Savanur,

To,

The Acting Collector and Political Agent Dharwar.

Savanur 17th of June 1891.

Sir

I have the honor to state that in this office No. 2 dated 23rd August 1889, I have requested you to be so good as to write to the Government of Bombay for favor of their moving the Government of India to be pleased to declare under section 434 of the Code of Civil Procedure Act No. XIV of 1882, that the decrees of the marginally noted civil courts situate within the territories of

1 The court of the first class subjudge Savanur 1 Savanur Nawab's court 75	

Savanur State in alliance with Her Majesty and not established by the authority of H. E. the Governor General in Council may be executed in British India as if they had been made in British India, when sent thereto for execution. From the fact of my not receiving any reply I think that the matter has not yet been finally decided. If that be the case, I beg to request again that you will have the goodness to remind Government of the subject.

I have the honor to be
Sir
your most sincere friend

Nawab of Savanur.

No. 4101 of 1891,

From

E. Gray, Esquire,

Collector & Political Agent,

Dharwar.

Civil

To.

The Nawab of Savanur.

Dharwar 14th July 1891

Sir.

Execution in British India of decrees passed by the Savanur Court.

In reply to your letter No. 42 dated 17th June 1891, I beg to state that the Government did not approve of the proposal noted in the margin on the ground that only such ruling Chiefs as have plenary Jurisdiction have been granted the concession.

I have

I have the honor to be
sir
your most obedient serv^t

A. Gray.

Collector & Political Agent
Dharwar.

Rec^d

Recd 17th July 1891.

No. 350 of 1897.

13 January 1897.

Memorandum -

Subject
Execution of a decree.

With reference to his endorsement no. 112 dated 11th ult., the subjudge of Savanur is requested to state whether section 229A of the Civil Procedure Code has been declared to be applicable to his Court and if so to quote the number & date of such notification.

77

Recd
15/1/97.

Political Agent
&
District Judge.

Under 1A: C's Verm: No 317 dated 30-9-1902

Memo.

I beg to submit the following remarks.

It has been the practice for many years that the processes of the British Courts (Civil & Rev:) are served freely by the Courts in this State & vice versa. Copy the order of the Coll: & the Pol: Agent (No 23 dated 0/9/1878) directing that the processes of the British Courts shd be served by the Courts in this State is enclosed. The order regarding the free service of processes by British Courts issued by the Courts in this state could not be traced.

There can be no doubt that the practice of free service of processes of British Courts in this State & vice versa has been mutually convenient to the British Courts as well as to the Courts in

this State. Processes are constantly received for service in this State from the Civil Courts at Dharwar, Hubli & Haveri & Rev: Courts ~~from~~ the Mamlatdars of Karajgi & Bankapur & are duly served in this State. Similarly processes sent from this State are served by these Courts. This can be verified by a reference to the Civil & Revenue Courts referred to.

This long standing practice may have been authorized by the orders of Govt but these orders are not traceable ~~and~~ ~~not be traced~~ in the records of this office. Should it however be deemed necessary that the practice should now be formally recognized by ~~a~~ Govt sanction it is suggested that an application on behalf of this State may be made to Govt under G. R. ~~No~~ (Poll) No 7437 dated 9 Octr 1902.

19 Novr 1902.

R D Pirsi
Divan

No: 204 of 1898

11th November 1898.

To,

The curator Government Central

Book Depôt Bombay

Sir,

English copies of the marginally noted Law books are required for use in this office. I have therefore the honor to request you to kindly let me know whether they are available in your depôt and if so together with charges of ~~packing~~ postage to state the ~~prices of them~~ at your earliest convenience.

1 Unrepealed acts of the Government of India. all the volumes.
1 Bombay Acts & Regulations, all the 3 volumes.
1 Mayne's Indian P. Code ~~as amended by~~ with amendments ~~subsequent up to date~~
1 Survey & settlement manual.

I have &c

Diwan of Savanur

No. 82 of 1893-94.

From,

The Diwan of Savanur.

To,

The Collector of Bombay.

Savanur Diwan's Office,
15th of June 1894.

Sir,

I have the honor to bring to your kind notice that the below-mentioned Law books are required for use in this office and to request that you will have the goodness to cause a copy of each to be sent to me per post ~~at your early convenience~~, if the same be available in your office. A remittance will be made on the receipt of a bill for the price, package &c

80

Books required.

A Book containing current Acts of the Government of India

1 do. Abstract of Bombay Acts of the Government of Bombay.

Sir,

I have the honor to be,

Your most obedient servant,

Dewan of Savanur

Dewan's office,

Savanur 12th July 1899

No. 261 of 1901

To,
The Supdt Govt Press
Allahabad

Govt

4 May 1901

Sir,

I have the honor to inform you that Parts III & IV of Vol: XXIII of the I.L.R. Allahabad series for the months of March & April 1901 have not yet been received by me & to request the favour of their early despatch.

I have the
honor
to be
Sir
Your
obt Servt
Dewan

No 165 of 1901

To,

The manager
Law publishing Press
Bow street
Calcutta.

9 March 1901

Sir,

I have the honor to request you to be so good as to let me know the price of including V.P. charge

(1) The Civil Digest of the Indian Law Reports, latest edition.

(ii) the Criminal Digest do do do latest edition.

I have &c
Ok (N D Joshi)
Dinar

02

No 164 of 1901

To, The Registrar
Civil
High Court
appellate Side
Bombay

9th March 1901

Sir,

I have the honor to repeat the favour of your sending me by V. P. a copy of the Bombay High Court Civil Circular order Book with the Correction slips up to date.

I have &c

(1) Sperki
Diwan
Sawantwadi

Civil No: 186 of 1901

21 March 1901

To,

The Manager

Law publishing press.

Bow street

Calcutta.

Sir,

Referring to your No 283 of 15th instant

I have the honor to request the favour of your

sending me by V.P. the Law books noted in

84

The margin at your early convenience.

1 civil digest in three volumes (cloth bound) containing all civil rulings of the Renval H. courts from 1876 to 1899.

1 General digest of criminal cases containing all criminal rulings from 1862 to 1899

Shame &c.

yrs

D. Pelki

Divan of Savanna.

No. 283

D. E. CRANENBURGH,
PLEADER AND LAW-PUBLISHER.

The Law-publishing Press,
Nos. 3 to 5, Bow Street,
Calcutta, 15th March 1901.

The Dewan of Savanur,
Savanur.

Dear Sir,

With reference to your letter No. 165 dated the 9th instant, we beg to inform you that our Civil Digest in three volumes (cloth bound) contains all civil rulings of the several High Courts from 1876 to 1899. These three volumes are sold at Rs 5 each, and all three together for Rs 12, plus postage, viz. V P Rs 13 = 12 = 0.

Our General Digest of Criminal Cases contain all criminal rulings from 1852 to 1899 Price Rs 10 plus V P Charges 12 annas.

Detailed particulars will be found in the Catalogue sent herewith.

Yours faithfully
A Smith B L.
Manager

21/3/1901
Shown to C. J
Send 3 Civil Vols
& 1 Crim Vol.
Shall be interested in the [redacted] 95

(ಪತ್ರ ೧೫೯) No. 17 of 1891.

Forwarded to the Diwan of Savanur for information and guidance.

Savanur
8th August 1891. } Abdul Kadir Beg
Nawab of Savanur.

ಸ್ವೀಕರಿಸಿದೆ ೨೨/೧೮೯೧

No. 64 of 1891-92.

Savanur Diwan's Office. 8th

24th September 1891.

Returned, after keeping a copy for records and guidance, to H. H. the Nawab of Savanur with the humble respects of the undersigned.

D. Rangaiah

Diwan of Savanur.

Recorded on 26th September 1891.

Nawab of Savanur.

Forwarded to the Diwan of Savanur for information and guidance.

5-3-1900

A. Cousins
A. P. Agent

spare copies of the notice have been received direct from the political agent. ~~have~~ and the notice publish as directed. This may therefore be recorded

1.3.19

87

sd/-

N o t i c e.

Copy of Feed for issuing Sanads to pleaders

It having been brought to the notice of the --- Undersigned that Vakils with ~~xxxxxx~~ Sanads to practise in British Courts are allowed to practise also in the --- Savanur Agency Courts without levy of the annaual fee of Rs. 30/- sanctioned by G. R. Political, No. 5889 dated -- the 23rd September 1895, it is hereby notified that no -- Vakils with British Sanads will henceforward be allowed to practise as pleaders in the Courts under this Agency -- except on payment of an annual fee of Rs. 30/-.

Sd:- E.L. Cappel,
Political Agent,
Savanur.

G. 162 - 8/1900

Office copy.

Copy of letter, No. 2110, dated 14th June-/94, from Colonel W. A. Salmon, Ag: Political Agent, Kolhapur and S. M. country, to the Political Agent, Dharwar.

"With reference to your letter, No. 2633 dated 21st April last, requesting information as to the practice in vogue in the states under this agency, in the matter of permission to pleaders for practising in civil and criminal courts I have the honor to state that persons having sanads from the High court of Judicature at Bombay can not so practise as a matter of right."

"2 such men are required to obtain from the Local authorities in native States as a sine qua non to their admission

in civil cases. In criminal matters, the practice is generally regulated by the provisions of the code of criminal procedure.

"3 It is only in Kolhapur that Barristers ever appear and when they do so, they are admitted there without any sanad from the Darbar."

No. 4093 Camp Bhawar.

22nd June 1894.

Forwarded for information to the Assistant Political Agent.

2 Pleaders (with the exception of Barristers) cannot, as a matter of right, in the savanar civil and criminal

Before doing so, they must obtain from the state.

The Diwan should be instructed

accordingly.

Sd/ J. Hairlie Muir
Political Agent.

No. 1203 of 1894.

Camp Dharwar 28th June 1894.

Forwarded in original for information to the Diwan of Savanur.

~~To be returned~~ Sd/ A. R. Rogers
A.P.A. Savanur.

No. 940 of 1893-94.

Returned with compliments to the Assistant Political Agent.

2 The undersigned begs to state that copy of the above correspondence has been taken & placed on record for the information of this office.

Diwan of Savanur.

04

Appointment of Pleaders

In the Court of His Highness
the Nawab of Savanur.

At Savanur.

No. 38 of 1890-91.

3rd of June 1891.

To,
Mr. Venktesh Gururao Malebenur

In conformity with the provisions of Regulation II of 1827 and Act I of 1846 you, Venktesh Gururao Malebenur is hereby appointed to the ~~Court of the~~ office of Pleader in the Savanur State.

Nawab of Savanur.

Seal of the Court

Civil

In the Court of His Highness

the Nawab of Savanur.

At Savanur.

No 44 of 1890-91.

24th of June 1891.

To,—

Mr Hanmant Shesho Naigur.

In conformity with the provisions of Regulation II of 1827 and Act I of 1846 you, Hanmant Shesho Naigur is hereby appointed to the office of Pleader in the courts of the Savanur State. You will not be liable to be removed from your situation during your good behaviour while you discharge your duty with zeal and integrity under the rules contained in the Regulations which

91

now are, or hereafter may be in force.

Nawab of Savanur.

The Seal of the court

In the Court of His Highness
the Nawab of Savanur.
At Savanur.

No. 31 of 1891-92.

19th of March 1892.

To,

Mr. Gopal Nershinve Kadkol
pleader State Miraj Senior.

In conformity with the provisions of Regulation II of 1827 and Act I of 1846 you, Gopal Nershinve Kadkol is hereby appointed to the office of Pleader in the Courts of the Savanur State. You will not be liable to be removed from your situation during your good behaviour while you discharge your duty with zeal and integrity under the rules contained in

the Regulations which now are

or hereafter may be inforce.

Nawab of Savanur.

The seal
of the court

Dhaka,
12th June 1892

To
His Highness the
Nawab Salimullah
Bahadur

Your Highness is hereby informed that the
Pleadership in the
Sadder Courts,
Civil, Revenue &
Criminal,
Of Your Highness to
be filled up
the Pleaders
Bar Association
Tomorrow
Jan & Friday
23 and
Mofeez

I have ample time at my disposal to plead in Parliament Counsel's Chambers for the best Counsel & Pleaders & Examiners and I have already paid the required fees to the Registrar of H. Ct. Highcourt of Judicature.

Compliance with the above orders shall lighten Your Highness' most obedient servant

Hermann Rauschning
Shefalle

[illegible]

165

Below application d 4 nov/98 from mr Balwant Mahadev pleader Dist Court Dwk to the address of the asstt Pol Agent requesting to issue a sanad in his favour authorizing him to practice as a pleader in the Savanur State

No 217 of 1898

28 Nov 1898

Forwarded with compliments to the assistant Political Agent.

2 The R.S. knows that the applicant is a practising pleader in the Dist Judge's Court at Dharwar and as such he is under the orders contained in ~~G.R. no 6790 d 22 Sept 1895~~ ~~Pol Deptt~~ to have a sanad ~~from the Pol Agent on payment of Rs 30 as the auth~~ authorizing him ~~to practice in the Courts of this State on payment of a fee of Rs 30, as ordered in G.R. no 5889 of 23 September 1895 Pol. Deptt~~

In the Pol Agent's endt no 4098 of 22 June 1894 he is entitled to have a sanad

from the Vol agent authorizing him to practise in the Courts of this State on the payment of a fee of Rs 30 as per G. R. no. 5889 d. 23 September 1895 Pol. Deptt.

No 247 of 1898

24th December 1898.

Memo:

With reference to his applicat^n dated the 4th ultimo Mr. Balvant Mahader pleader District Court Dharwar is informed under the orders contained in the Collector & Political Agent's No 9220 / 15-12-98 that he should make his application on a stamped paper of the value of annas 8 and remit the fee of Rs 30 to the U. S. for issue of the Sanad asked for.

C. H.

O. Divan Sawaimur

No 37 of 1899.
11th February 1899

Memo:

A Sanad received from the Collector & Political Agent Dharwar with his No 484 dated the 18th Instant is herewith sent to Mr. Balawant Mahadev Betdur pleader District court Dharwar with a request to acknowledge receipt of the same.

Dy Diwan of Savanur

Below Asstt Poll Agent's No 359 of 1898 dated 21-12-98

below Poll Agent's No 9220 dated 15th December 1898 intimating

- The applicant to make an application on a state stamped

paper of the value of annas 8 & to remit the fee of Rs 30 to

the Diwan of Savanur.

No. 5 of 1898/99

10th January 1899.

Resubmitted to the 2nd Assistant Collector & Assistant

Political Agent Dharwar with compliments.

2. The U. S. respectfully begs to send herewith

The application received from the pleader on a state stamped paper of the value of 8 annas and to state that the sum of Rs 30 remitted by him has been credited to the Daybook under the head of stamp receipts.

3 The Sunad applied for may now be kindly issued.

Dy Diwan Sevaman

Copy.

Reply of the Collector of Dharwar to No: 254 dated 14 November from the second Assistant Collector.

No: 10741 Dharwar.

30 December 1897.

The applicant should be informed that before a sanad can be issued to him, he must the examination prescribed by G.R. No: 6790 dated 12 October 1888 Political Department and that as he has not passed it, the undersigned regrets he can not issue a sanad.

(sd) C L. Capper

Collector and Political Agent Dharwar.

No: 9 of 1898.

99

The Diwan of Savanur is requested to

inform the applicant Bhimacharya Raichur

accordingly and return.

8-1-98 (sd) F. Anderson.

A. P. agent.

No 8

Copy sent to the applicant Bhimacharya

No: 6 of 1898.

Savanur January 1898.

Returned with compliments.

2. The W.S. begs respectfully to report, —

That the above orders ~~were informed~~ have been communicated to the

applicant ~~in~~ a separate communication.

Dewan of Savanur.

Memorandum.

Cert

No. 2063 of 1900.

Dharwar 23 March 1900.

In reply to his petition of 18-11-99, --- Mr:- Bhimaji V. Rayachur is informed that the Political Agent does not see sufficient reason to grant him --- permission to practice as a Pleader in the Courts of -- the Savanur State.

for Political Agent, Savanur

Through the Assistant Political Agent, Savanur, with --- reference to his No. 201 of 9th March 1900.

No 223 of 1900

Forwarded to the Diwan of Savanur for informing the applicant accordingly.

27-3-1900

A. [illegible]

Asst Agent

J. No 102 — Rec 29.3.00 applicant to be informed in working. [illegible]

100

No: 147 of 1908

30-3-1908.

The applicant was informed in writing

Diwan.

Below the application dated 28th August 1900 from B. V. Raichur asking for a sanad to practice in the Savanur State courts.

Civil

No 6495 of 1900

Dharwar, 6th Sept. 1900.

Forwarded to the A. P. Agent, Savanur, for report with reference to correspondence ending with this office No 2063 dated 20th March 1900. It should be stated what the applicant's age is, whether there is anything against him, & what objection there is to allow him to practice as a pleader. It should also be reported how long the applicant has been practising in the Savanur courts.

No: 409 of 1900

19th Sep 1900.

Returned with compliments

(sd) W. Doderel
P. A.

No 694 of 190
7-9-900.
Forwarded to the Diwan of Savanur for report ~~of the applicant~~ to permit ~~the~~ applicant to practice as a pleader in the courts of this state. (Vide copy of the memo order No 2063 d 23rd March 1900. herewith sent). The ~~pleader~~ petitioner has not passed either of the examinations under the rules prescribed in G. R. No 679. (Poll dept.) d 12th Oct 1888 nor does he hold a pleader's sanad from the High court of Bombay. He can not therefore be permitted ~~to~~, to practice as a pleader in the courts of this state.

(sd) A. Westropp
A. P. Agent

3 The applicant's age is now about 26 and ~~there is~~ the W. S. knows nothing of him personally as he is reported to be living elsewhere ~~always lived outside the state~~ for his studies ~~to avoid the~~

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w.s. ~~has been born~~ ~~has~~ has therefore nothing to say against him ~~because of nothing against him~~. ~~He can be allowed~~ He may practise ~~by the court to practise~~ in the civil court as a Mukhtyar in case he be a Mukhtyar under the provisions of section 37 of the civil Procedure code but not otherwise. He has never practised in the courts of this state up till now.

The w.s has already reported in this office Rol confdl 27.12.29 that there is want of more pleaders in this state.

Diwan of Sandur

Civil

No. 708 of 1900

28th September 00

Memo,

The Diwan of Savanur is requested to enquire and report whether the applicant Mr Raichur still desires to appeal to Government in case he be allowed by the Political Agent to practise as a muktyar in Savanur Court.

Aburis

1.10.00 — Asst Pol Agent.

9.20334

102

No: 444 of 1900

1st Oct 1900.

To,

The a. P. agent,

Dharwar.

Sir,

Referring to the above I have the honor to state that Mr. Raichur does not desire to appeal to government in case he be allowed to practise as a Muktiyar in savanur court.

~~Mr. Raichur's~~ His reply to that effect is sent herewith for favor of perusal.

I have &c

Diwan of Savanur.

Reply to application dated the 28th august 1900, from Mr B. V. Raichur Savanur.

Circl

No 7557 of 1900.
Dharwar, 18th October 1900.

The applicant is informed that he is allowed to practise as a mukhtyar in the Savanur Courts.

(Sd) W. Dodset.

Through

No 488
19-10-00

The Assistant Poll Agent,
with reference to correspondence ending with his No 778 of 10th Instant.

103

No 802 of 1900.

Forwarded to the Divan of Savanur with reference to his No 444 of 1-10-1900.

(sd) A.C. Wild.
A.P. Agent.

No 494 of 1900

Forwarded to B.V. Raichur.

21-10-00

C. Diwan Savanur.

Circd

under a. P. agent's No. 79 d 26-1-1901 asking to report how many pleaders are authorized to practise in the state, whether all of them know English & how many of them have passed the pleader's exn & when the state courts are in need of one or two additional pleaders (mukhtiars).

No. 71 of 1901

28 January 1901

Resubmitted to the a. P. a.

2 There are now 3 pleaders and one mukhtiar practising in the courts of this state. Only one pleader & ~~one~~ the mukhtiar know English and none of the 4 have passed the district or state pleader's examination but messrs Venkatrammachariar & Krishnaji appear ~~plea~~ ~~have~~ passed pleader's examination before a committee specially appointed for the purpose in 1869.

3 As regards point (3) I beg permission to report my opinion after an experience of 6 months

N D Joshi

104

Diwan of Savanur

Under A. P. Agent's No 113 dated 6 Feb: 1901.

No 442 of 1901

2 August 1901

Resubmitted to the Assistant Pol: Agent with compliments.

2 There is want of one or two good & experienced pleaders & if no such pleaders should desire to practise in the State Courts, the applicant might be given the permission asked for by him subject to the condition of his paying the prescribed fee.

R Shri
Diwan

No 6796 of 1901.

Dharwar 7th September 1901.

With reference to his application dated 4th November 1900, Mr. Hanumant Gurachariya Raichur is informed that he is allowed to practice as a Mokhtiyar in the Savanur courts.

(sd) M. C. Gibb.
Political Agent.

Through,
The Assistant Political Agent
(with reference to his No 770 dated 28th ultimo)

The Diwan of Savanur.

Through
833
11-9-01
The Diwan with reference to his No

442
2-8-1901.

(sd) A. C. Wild.
A. P. Agent.

No 623 of 1901
14-9-01

Forwarded.

14/9
O/C Diwan of Savanur.

Recd

No: 377 of 1900

4th ~~Sept~~ Aug 1900.

To,

The Collector and Political Agent

Dharwar.

Sir,

In compliance with your P. No. $\frac{\text{E-Jm-19}}{29}$ dated the 4th instant I have the honor to respectfully ~~submit~~ submit herewith the papers relating to the possession suit No 1/1900 of this court and to offer my remarks on the grounds ~~of revision~~ set forth in the accompanying petition for revision addressed to His Excellency the Governor of Bombay, as follows:—

It will be seen from the judgment that the same issues as mentioned by the petitioners in their application for revision have been tried and decided in this case. The statement made by them that this has not been done is quite untrue and a misrepresentation. — 107

In the course of their depositions ~~the defendants~~ have plainly admitted that they ~~were~~ are in possession of the field in dispute at the time of the suit In order to ascertain whether they obtained possession by due course of Law or otherwise, they were questioned when & how they came to be in possession of the

and Rama of the defendants in connection with the same land now in dispute) and Ex No A (a registered kabuliyat executed by ~~the~~ one Rajba Kotkate witness Ex No 10) in favor of the plaintiffs) and the statement of the said Rajba, clearly have proved the plaintiff's ~~claim~~ suit.

~~Ground No 3.~~

~~When the witness on behalf of the plaintiffs showed~~

field which was restored to the plaintiffs in 1891 under the orders of a competent court & whether they had any evidence in support of their statements. In doing so the court has not at all acted ultra vires. The statements made by the defendants in this connection are so inconsistent with one another that one is naturally inclined to disbelieve them in toto. They not only weaken the case of the defendants but strengthen the cause of the plaintiffs to a considerable degree.

(~~In this suit the plaintiffs~~ This suit was between ~~between~~ the present plaintiffs & defts Nos 1 & 3 & pltfs of defts Nos 4 & 5.)

The documentary as well as trustworthy oral evidence put in by the plaintiffs, the inconsistency in the statements of the defendants and the position in life of the witnesses on behalf of the defendants induced me to decide the suit in favour of the Pltffs. led me to conclude that the witnesses were all tutored. ~~bearing any other conclusion under the circumstances would be doing utter injustice.~~

The very plaintiffs brought a suit in 1891 in the the court of the Diwan under the Mamlatdar's court act to recover possession of the field now in dispute from some of the defendants in the present ~~case~~ suit

~~The case~~ It was decided in favor of the plaintiffs & the possession of the land was restored to them. (Vide Ex No 4). Since that time witness No 20 Rajba Kokale cultivated the field ~~from~~ for 6 years under a registered kabulayat (Ex A) executed by him in favor of the plaintiffs. After the expiry the same term of 6 years he continued to hold it until he petition quitted it 15 days before the cause of action in the present suit ~~suit~~ arose. (Vide the deposition of the witness Ex No 20). The fact that the field was cultivated by Rajba has been admitted by deft No 4, although he states that ~~he~~ he (Rajba) cultivated it on his father's behalf. On considering the statement of the witness along with the documents Ex Nos 4 & A, I ~~cannot but place reliance on him~~ was inclined to believe the witness Rajba.

~~Vol 100~~

No points of law has been raised in the application as to justify the case being revised by the higher authorities.

~~under~~ These circumstances ~~deserve~~ it to your ~~to consider~~ ~~as to~~ whether the ~~matter~~ application deserves to be ~~sanction~~ to Govt. for revision.

~~Government~~

× It is not customary for the High court to ~~expect~~ ~~investigate~~ facts in a possessory suit (as the aggrieved party) ~~can~~ seek relief in a civil court.

Below Pol. Agent's No 5.5.S.S.50 dated 23-10-00 asking to send the case papers of civil suit No 7 of 1897.

No: 503 of 1900

Civil

27th Oct 1900

Returned with compliments

2 The W.S respectfully begs to submit herewith the papers relating to the civil suit No. 17 of 1897 of this court as called for.

3 The hearing of the case has not yet commenced and the W.S. is therefore not aware of having expressed his opinion in connection therewith in any way in the case

4 The statements in paras 2 & 3 of the application seem to have been made quite recklessly with a view ~~forgetting~~ the case transferred ~~by identifying the subject~~, W.S. does not at all wish to offer any comments on them.

5 The W.S. would be too glad to get rid of the case if the political agent would be disposed to ~~order accordingly~~ transfer the case.

Diwan of Savanur

Recd
26/11/90

[illegible]

[illegible]

1. [illegible]

2. [illegible]

[illegible]

1. [illegible]

[illegible]

[illegible]

1. [illegible]

2. [illegible]

3. [illegible]

4. [illegible]

ಅಂದರೆ ಸಮಸ್ತ ಜನರು ಸಮಾನರು ಎಂದು ಹೇಳಿದ್ದೇವೆ. ಈ ಸಮಾನತೆಯ ಕಲ್ಪನೆಯನ್ನು ಹೇಳಿದ ಮೊದಲಿಗರು ಬುದ್ಧ ಮಹಾಶಯರು ಅದು ನಿಜವಾದ ಸಮಾನತೆ ಅಂದರೆ ಸಮಾನತೆ ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದು ಅರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು.

ಸಮಾನತೆ ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು.

ಬುದ್ಧ ಮಹಾಶಯರು ಹೇಳಿದ್ದು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು.

ಬಸವಣ್ಣ ಹೇಳಿದ್ದು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು ಅಂದರೆ ಎಲ್ಲರೂ ಒಂದೇ ಎಂದರ್ಥ ಕೊಟ್ಟಂತಾಯಿತು.

ಅಂದರೆ ಸಮಸ್ತ ಜನರು ಸಮಾನರು ಎಂದು ಹೇಳಿದ್ದೇವೆ. ಈ ಸಮಾನತೆಯ ಕಲ್ಪನೆಯನ್ನು ಹೇಳಿದ ಮೊದಲಿಗರು ಬುದ್ಧ ಮಹಾಶಯರು ಅದು ನಿಜವಾದ ಸಮಾನತೆ ಅಂದರೆ ಸಮಾನತೆ

[illegible]

[illegible]

[illegible]

Below petition dated 26th Nov/90 from Drapa bin Nagappa Gudgori and another of Savanur asking for review of the decision passed on 15th Oct 1890 by the Nawab of Savanur

Sav. In.

No. 25 of 1890

Nov/90

Forwarded with compliments to the Nawab of Savanur with a request that he will kindly send the papers in the case with any remarks he may wish to offer.

(signed) A. W. Boeney

Recd 5/12/90

Collector & Pol Agent

No 6 of 1890-91

Savanur Nawab's office

8th December 1890

Returned with compliments to the Collector & Political Agent Dharwar with all the papers connected with civil appeal No 2 of 1888 112

As to the 2nd para of the petition of revision

In this case the burden of proving partition has been rightly laid on the respondent.

As to the 3rd para

The memorandum of appeal will clearly show that no grounds of objection is set forth therein to the conclusion arrived at by the Lower court regarding the subject-matter of the suit. Section 542 of the civil procedure code lays down that the appeal court shall not rest its decision on any ground not set forth by the appellant unless the respondent has had sufficient opportunity of contesting the case. In this case the applicants have not applied to this court to be allowed to file any new grounds of appeal. The applicants can not therefore raise this objection now. Moreover there is sufficient evidence in the case against this statement of the applicants —

As to the 10th para

of each of the statements filed by deceased Phakeerappa in suits Nos 19/1882 & 5/1884, be read as a whole and in its natural sense it will show that Phakeerappa did not wholly deny that a partition had taken place. Even if it is supposed that he did deny, those statements are not relevant as they are not against the pecuniary or proprietary interest of Phakeerappa (Vide Sec 32 clause 3 of the Indian Evidence Act).

The undersigned has sufficiently dwelt upon the other branch of the subject in his judgment.

Nawab of Savanur

Below E.S.N.Co. 21/16-3-98 of the Political agent Bhawan forwarding petition of Meer Ahemed Alikhan Mansabdar requesting to be informed of the date fixed for hearing the appeal preferred by him from the decree of the 1st class S. J. Savanur in civil suit No: 31/1896.

No: 50 of 1898.

19 March 1898.

Respectfully returned with compliments to the Political agent.

2 The appellant has been informed of the date fixed for hearing the appeal

22-3-98.

Dewan of Savanur.

O.C.

Below Asst Pol Agent's No 112 of 1898 dated 14-5-98

forwarding the Govt Resolution No 2415 Political Department
application for Review of Decision of Civil No 4 of 1898
dated 23rd April 1898 for communicating the decision of

The Govt to the petitioner.

No 89 of 1898.

21st May 1898.

Respectfully returned with compliments to the 2nd Assistant Collector and Assistant Political Agent Dharwar.

2. The orders of Government contained in the above Resolution have been communicated to the Applicant as directed.

N. Sivan Savanur.

No. 31 of 1890-91

From,

The Nawab of Savanur,

To,

The Collector and Political Agent Dharwar,

Savanur 16th of May 1891.

Sir,

I have the honor to observe that my Diwan Rao Bahadoor Gurunrao Krishna Malabenur who has been serving the State from 15th October 1885 retires on 1st of June 1891. During the time, he has served to my satisfaction and earned the respect of the people. He has fully justified the selection of him, then only a Mahalkari, by Mr. J. R. Middleton

I am exceedingly glad to recommend that Mr. Gururao Krishna whose fair service extends over a period of 41 years, be kindly allowed to enjoy for his life the title of Rao Bahadur although he ceases to holds the office of Diwan. I should rejoice exceedingly if you be good enough to move Government to be pleased to confer on him the title of Rao Bahadur as a personal distinction.

I have the honor to be
Sir
your most sincere friend

Nawab of Savanur

No.124 of 1904.

From

Police

K. R. Bomanji, Esquire, C.S.,

Political Agent, Bijapur.

To

The Chief Secretary to Government,

Political Department, Bombay.

Camp Muddebihal 17th February /04.

Sir,

As no licenses were issued by me for the export of arms and ammunition during the half year ending 31st December 1903, the returns to be sent in Forms A and B were reported to be blank under this office No.42 of 18th ult. I have however the honour to bring to your notice that the Government of India sanctioned the supply of certain arms and ammunition for the Police of the Jath State which sanction was communicated to me by G.R. Political Department, No.6596 of 3rd October 1903 and accordingly the following quantities were imported into the State during the half year ending 31st December 1903:-

Caps Percussion service 4000

Cartridges S.Ball.M.L.

3 drams 1000

Do. Blank 2½ drams 1000

2. These were sent from the Bombay Arsenal to the Superintendent of Police, Jath State(Administrator).

3. I am in doubt if such supplies are intended to be included in Forms A and B and shall feel obliged by your instructions in the matter.

I have &c.,

(Sd/ K. R. Bomanji,

Political Agent, .

----------0----------

No.1876 of 1904.

Political Department.

Bombay Castle 15th March 1904.

117

The Hon'ble Mr. S. W. Edgerley, C.I.E., I.C.S.,

Acting Chief Secretary to Government.

The Political Agent, Bijapur.

Sir,

In reply to your letter No. 124 dated the 17th February 1904, I am directed to state that arms and ammunition obtained from the Arsenal under Government sanction and without a license, are not to be included in the half-yearly Returns of arms and ammunition submitted to Government in Forms A and B.

I have &c.,

(Sd/) S. W. Edgerley,

Ag: Chief Secretary to Govt.

No. Poll/ 143 of 1904.

Camp Kashedi, 11 April 1904.

Copies forwarded with compliments to the Political Agent, Savanur for information.

COLLECTOR & MAGISTRATE'S OFFICE
Register No. 2768
18. APR. 1904
DHARWAR DISTRICT.

For Commissioner, S.D.

Dharwar No: 2355 of 1904 19 April 1904.

Copies forwarded to the Diwan of Savanur through the Assistant Political Agent for information

Political

118

No 119 of 19

Navalgund 12th May 1907

Forwarded to the Dewan of Savanur for information.

No. 188.

A.P. Agent

[illegible]

[illegible] 24-5-1904

[illegible]

No 6661 of 1898-99.

The Educational Inspector S.D.

&

The assistant political agent
in the state
of [illegible].

Sir,

I have the honour to send
herewith for perusal and record
statistical report on the state
of the schools at [illegible] during
and to the

I am most obedient servant

Raoji Bhaundkar
Educational Inspector
S.D.

No 734 Dharwar
23-2-99

Forwarded to the Diwan of Savanur for information.

Abercrombie
25/2/99 Assistant P. Agent

Perused & recorded
25-2-99

Diwan of Savanur

Duplicate

64 of 1898-9

[Ed. 23.

REPORT on the ಪ್ರೈಮರಿ ಸ್ಕೂಲ್ School at ತೋಂಡೂರ (Population ೬೨೨) TALUKA ನವಲಗುಂದ DISTRICT ಧಾರವಾಡ

Inspected by the ಶಿಕ್ಷಣಾಧಿಕಾರಿ, ಧಾರವಾಡ on the ೨೮ನೇ of ಜನವರಿ 1899.

Date of last Inspection and by whom inspected. ೨೮-೧-೯೯ ಶಿಕ್ಷಣಾಧಿಕಾರಿ

Date of the foundation of the School. ೧೦-೧-೧೯೦೯

GENERAL REPORT.

Accommodation and present state of building. Repairs how carried out.	(೨೨×೧೫) ಕುಡಿಯುವ ನೀರಿನ ಸೌಕರ್ಯ ಇದೆ ಅಲ್ಲದೆ ಅಂಗಡಿ ಪ್ರಾಥಮಿಕ ಶಾಲೆಯನ್ನೆ ಕಟ್ಟಿದ್ದು ಕೆಲಸ ನಡೆದಿದೆ -
Condition of furniture and apparatus. Articles still required. Unserviceable dead stock.	ಕಟ್ಟಿಗೆ ಸಾಮಾನುಗಳು ೨ ಇದ್ದು ಸಾಕಷ್ಟು ಇವೆ.
No. of books (including Class-books) in Library, Class-books required. No. of books unserviceable.	ಪುಸ್ತಕಗಳು ೧೦ ನಕಾಶಗಳು ೯ ಇವೆ -
School Registers and Records, how kept.	ಸರಿಯಾಗಿ ಇದೆ ಹಾಜರಿ ಪುಸ್ತಕ ಮತ್ತು ಇತರ ಲೆಕ್ಕ ಬರೆಯುವದು ಸಂಬಂಧಿಸಿದಂತೆ ಲೆಕ್ಕ ಲಿಪಿಕರ ದಾಖಲೆಗಳು ಇವೆ -

Pupils, their manner, and discipline, classification by caste of total number on register.	Hindus. Brahmans.	Hindus.	Low Castes.	Aborigines and hill tribes.	Mahomedans.	Others.	Total No. of pupils.
ಸಾಧಾರಣ ನೆಟ್ಟಗೆ	—	೨೪೯	•	•	—	೨೧	೯

Name of each Teacher.	Training and other qualifications.	Completed service in The Department. Years.	Mths.	This School. Years.	Mths.	Salary, including Allowances.	Standard taught.	Remarks regarding each Teacher.	Directory for 189 Page.	No.
1 ವೀರಸಂಗಯ್ಯ-ಕುರುಡಯ್ಯ	ಮುಲ್ಕಿಪಾಸ (ಅರಕಿ)	೧೧	೨	೪	೩	೧೦	೪ರಿಂದ ೧	ಕೆಲಸ ಸಾಧಾರಣ ನೆಟ್ಟಗೆ	೨೨	೧೪೯
2 ಸಾಲಿಮಠ ಮಾಸ್ತರ										
3 ಅಂಡಿಪಾ-ಮಲ್ಲಪ್ಪ-ಮಾತ್ರಿಮಿ	ಸನೇ ಲ್ಯಾಂಕುಲ್ಕಿ	•	೨	•	೨	೨	ಟಿನ್	,, ಸಾಧಾರಣ ಇದೆ.		
4 ಕುಲ್ಯಾ-ಟಿಳಿಕಾರ										
5										
6										

General Remarks and recommendations by the Inspecting Officer.

ಶ್ರೀಲಾಮಾಡುವರ ಮತ್ತು ೨ ಇವೆ

ಶ್ರೀಲದರ್ಪಣ್ ಕುರುಡರವುಂಟಿ ಇಲ್ಲಾದ್ದು ಈರ್ಪಣ್ ಇಲ್ಲಾರುತ್ತದೆ ಮರಿಲ್ಕೆಂಡು ಮರಿಧಾರುಕ್ಕ ಸಾಧಾರಣ ನೆಟ್ಟಗಾಕಾರುತ್ತದೆ ಟೀಚ್ಚರ್‌ಕಲ್ಲಾನು ಮುಲ್ಕಾರುವದರಿಂದ ಇಂಗಡಪರಿಕೂ ಕುರುಡರಿಗೆ ಪ್ರಯೋಜನ ಸರಿ ಬಾ ಹಾಕಾಂಗ ಇದ್ದು ಶಿಕ್ಷಣಾಧಿಕಾರಿಗಳು ಕಾ ಮಸ್ತರಿಕೂ ಮಾಸ್ತರಿಕೂ ಸಂತೋಷಪಾಕ್ಕಿಂಡಾರ್ ಶಿಕ್ಷಣ ಕೊಡ್ಡದೆ.

[Ed O 63—20,000-9-98]

Number of Pupils on the Register.	Average attendance during the preceding twelve months	Number of Pupils present at the examination.	Standard under which examined.	Number of Pupils examined under each standard.	Result of the Examination. Number passed in: 1st Head.	2nd Head.	3rd Head.	4th Head.	Sanitary Primer.	Needle-work.	All Heads.	Length of time the Pupils have been in their present Class. Passed pupils: 1 year and under.	Between 1 and 2 years	2 years and over.	Pupils not passed or not presented: 1 year and under.	Between 1 and 2 years.	2 years and over.	Race or Creed of Passed Scholars: Europeans and Eurasians	Portuguese and Native Christians.	Jews.	Parsis.	Mahomedans.	Hindus.	Others.	Distribution of Free Studentships by Standards and by Caste or Race: Brahmans.	Other Hindus.	Low Castes.	Aboriginal and Hill tribes.	Mahomedans.	Others.
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Average monthly number on the rolls during the last 12 months.			Vernacular Standard.																											
			VI																											
			V																											
६		५	IV	५	२	२	४	२	-	-	२	-	२	-	२	-	-						२			-				
५+१	१६.	५+१	III	५+१	५	५	५+१	५	-	-	५	२	२	-	४+१	-	-						५			१				
५+२		५+२	II	५+२	४+१	४+१	४+२	४+२	-	-	४+१	२+१	२	-	१+१	-	-						४+१			१				
०		०	I	०	३	३	३	-	-	-	५	४	१	-	२	-	-						५		१	-				
२+२		२+१	Infants Beginners.		[illegible]										२+२								-			१				
२१+६		२०+४	Total.	१२+२							१६+१																			
Percentage population.			Anglo-Vernacular Standard.																											
			V																											
			IV																											
			III		२	[illegible]																								
			II		१	[illegible]																								
			I		१	[illegible]																								
			Total.																											

Despatched to the [illegible] on the १० of [illegible] 1899.

K. H. Alekyankar

Deputy Educational Inspector, [illegible] Sub-Division.

NOTE. I.—Out of the number given in column I, the number of Kunbis who are actually cultivators of the soil should be given in the column of General Remarks on the other side.

II.—The number of Girls, if any, in Boys' schools should be stated in column of General Remarks on other side.

III.—In the column "Training and other Qualifications" the usual contractions "Poona cert. Rs. 12," "P. S. C." "St. VI." should be used.

No. $\frac{S.P.}{992}$ Camp Sivaganga
28-2-99.

Forwarded to the Diwan of Sivaganga with a request that he will furnish, as soon as possible, (in the form over leaf) information as regards villages infected in his charge.

W. C. P.
Pol. Agent

District of_____.

Name of Taluka.	Serial Number.	Name of Village.	Population, 1891 Census.	Date of first case of Plague.	Date of last case of Plague.	Date of Evacuation.		Total Number of Plague Deaths.		
						Commenced.	Completed.	Before evacuation.	While evacuation was in progress.	Subsequent to evacuation.

No 1 of 1903
Savanur

To

Negligence of Vaccinator

The P.H. Officer

Sir Khanzadey

Referring to your S.P. Book No 50 of 10-8-03 herewith returned I have the honor to enclose the proceedings of the case in which one Dundoo Khanzadey was charged the Vaccinator of the Savanur State under §§ 323, 504 & 506. The proceedings also contain every thing beginning with this office ~~Lr~~ Verm No 696 of 20-4-03 & ending with the DPH's English endorsement No 446 of 27-6-03.

2) In this connection I would respectfully refer to the orders passed in

~~Grace~~ ~~should~~ setting forth the details of the case.

3) The cases papers may ~~[illegible]~~ be returned when done with & the result of the action taken if any, kindly communicated.

Yrs
J. Hewitt
Rh

Thro' the B.P.P. with refd to his letter quoted above

RH

No 1 of 1903.

Savanur.

From

Rajerao Vithal Mangalwedhekar
Esquire
Diwan of Savanur

To

The Collector & Political Agent
Dharwar

Sir

Referring to your S. P. Avak No 50 of 10-8-03 herewith returned I have the honor to enclose the proceedings of the case in which one Imamboo charged the Vaccinator of the Savanur State under §§ 323, 504 & 506. The proceedings also contain correspondence begining with this Office Vernacular No 696 of 20-4-03 & ending with the Asst Political Agent's English endorsement No 440 of 27-6-03.

2) In this connection I would request reference to the order passed setting forth the details of the case.

3) The case papers may be returned

returned when done with, & the result of the action taken, if any, kindly communicated

I have the honor to be
Sir
your most obedient Servant
Rajaramrao
Diwan Savanur

Min
364
1903

Through the Assistant Political Agent with reference this letter quoted above

Rajaramrao
Dewan
No 7 of 1903
Dharwar 3 September 1903.

Forwarded with compliments to the Political Agent, Dharwar. 3/10

2. The Undersigned agrees with the Dewan that Departmental notice should be taken of Vaccinator's conduct.

3. Case papers accompany.

Assistant Poli Agent.

Shimla

12-X-03

Returned to the Assistant Political Agent.

2. The vaccinator is a Savarna State servant, is he not? If so the Assistant Political Agent can deal with him. The Political Agent thinks that if this is the first occasion on which the vaccinator has been known to offend in this particular way, it will be sufficient if he is warned by him that if he is guilty of similar high handed conduct in future he will be dismissed.

3. Case papers accompany.

[illegible]

57.

[illegible]

నం. ఆ
180

[illegible]
A.C. Agent

Vaccinator
Corresp. [illegible]
for [illegible]

No 531 of 1903

Savanur,
5th Nov. 1903.

To
The P.A.

Sir,

I have the honor to return correspondence ending with your No S.P.A 50 of 10-8-03. This you over have been communicated to the Vaccinator. I have the [illegible]

Thro' the A.P.A. with ref to his Vcm No S.M.A No 180 of 29-10-03 with which the corresp was rec'd

[illegible]
5-11-03

X no Poll 285 dated 1st Oct. 1895

Administration File

~~Copy of paras 8 of this office remarks on the Annual Administration~~

Report of the Savanur State for the year 1894-95

Paras 34 to 37 Civil justice

8 — Seventy Six Suits were instituted during the year, against 135 in 1893-94. The number disposed of was 102 against 116 in the previous year. The Number of Suits remaining undisposed of was 23, or 26 less than the number on the corresponding date in the previous year. The average duration of the Suits decided was 6 months and 16 days, against 4 months and 13 days in 1893-94

No Explanation of the increase

[illegible] the [illegible] of the Suits [illegible]

been furnished and which has [illegible]

been called for.

No. Poll / 299 of 1895

Belgaum 15th August 1895

Forwarded to the Political Agent, Dharwar, for information and guidance.

(Sd) J. F. Fleet

Commissioner S. D.

Under letter No. Poll / 299 dated 15th August 1895

To be returned

From The Commissioner S. D.

No. 5844 Camp Dharwar

~~August~~ 17 Aug 1895

Savanur Administration report

Forwarded for

Reported to the Sessions Judge Agent

(Sd) J. Fairlie Muir

Sessions Judge Agent

No 228 Dharwar

The 20th August 1895

Forwarded to the Divan of Savanur for favour of explanation

To be returned

(Sd) A. Lucas

23-8-95 Asstt. Poll. A-

No. 9 of 1895/96

Savanur 4th Sept. 1895

Returned with Compliments

with reference to the above

I beg most humbly to report that

out of 102 Cases decided during

the year 65 Cases were instituted

in 1894 95 and 1 in 1892 93

The average number of cases 65

[illegible] months & 18 days that

of 36, ten months and 25 days &

that of one, two years & 3 months

and 7 days.

As the revision Survey of the

villages in the State was begun

in 1894 and as I had to render a

assistance to the landmeasurers

and clerks deputed to conduct

the operations, I was not able to

attend to Civil Cases during that

[illegible]

The defendants & witnesses

in some cases were residents of

the British and the Nizam's terri-

tories. The Summonses issued

to them were not received Served

[illegible] and on insufficient cases

[illegible] adjournments were granted

in some contested cases to the parties

4/ under these circumstances there has been an increase over last year in the average duration of the Suits decided during the year of the administration Report

for Dewan of Sawant

No. 12 of 1895-96.

From,

The District Magistrate.

Savanur state.

To,

The Collector and Political

Agent Dharwar.

Savanur 9th of september 1895.

Sir

I beg most respectfully to send herewith 2 summonses in duplicate to be served on the marginally named officials of the S. M. Railway and to request the ~~The~~ ~~you will kindly~~ favour of your causing the ~~same~~ same to be served on

1 Shriniwas Ramachandra Jamakhandi, assistant station master Nagargali.

2 Babaji Govind Chitale station master Jaluigi.

120/-

Through the Railway authorities
the said persons and returning them originals
~~same~~
to this Court after service.

I beg to remain,

Sir,

Your most obedient servant,

[illegible]

Assistant Magistrate

Savanur.

Khayary

COLLECTOR & MAGISTRATE'S OFFICE
Register No 6171
23. JUL. 1903
DHARWAR DISTRICT.

To,

The Collector & Political Agent
District—Dharwar

Respected Sir,

With one respect & humble submission I, the undersigned Abdul Fayaz Khan wd Turabkhan 2nd Grade Head Constable Saluku Dangal beg to solicit your honour's kind and favourable consideration to the following few lines

I am a native of Savanoor State & am now working as Jamadar in the Dharwar District Police. I am the son of the eldest daughter of the deceased Head Nawab Abdul Daler Khan Saheb Bahadoor Daleryang. I am one of the four sons of my father, whose names are as given below:- 1 Rahimankhan 2 Abdul Fayaz Khan 3 Abdul munwer Khan 4 Abdul Hamur Khan. Of these four the first and the fourth are dead. My grand mother Murad Khatu was the daughter of the Head Nawab Abdul.-

Kayar-Khan

Khayar Khan Saheb Bahadoor Daleryang.
A cash allowance of Rs 15 which was a --
hereditary one was paid from the ---
Savanoor treasury to her. After nordeuise
my paternal uncle was paid Rs 7-8--
& the remaining seven rupees and eight
annas have been equally apportioned
amongst four. After the death of Ayyathkhan
his share of Rs 7-8-- was paid to Adinkha
& Gawaskhan, & after the death of Adinkha
the whole sum of Rs 7-8-- fell to the lot of
Gawaskhan. After the death of myself
brothers Rahimatkha & Hamirkhan
I hear that my share of Rs 1-14-- has
been made a Zahiyat (for life). For
the last fifty or sixty years the said
amount of Rs 15--- was paid to our
family. A Copy of order passed by E. P.
Robertson the then Collector & Political
Agent with regard to the continuance of
the said cash allowance to us after the death
of the original person Murad Khan, and
a genealogical tree of our family are
hereto

here-to appended for your honour's kind perusal & favourable orders

Up to this time this fray was entered into the Column of hereditary allowance in the Petha Khata of the Sawanoor state. Now it is made unjustly a ~~Fay~~ Jahgir. I therefore once more humbly request that your honour will kindly pass an order to keep it as former i.e. make it hereditary

I am the nearest heir to the present Nawab Dalerjung Bahadoor.

Kind Complaint with my humble request will made me ever pray.

Dharwar
22/7/03.

I beg to remain
Sir
Your most obedient servant
[illegible]

Papers
22.7.03

No 5509 of 1903

Dharwar ~~July~~ 1st August 1903.

Forwarded with compliments to the Asstt Political Agent, Dharwar, with a request to submit papers sent to him with this office no. 122 dt. 7-7-03, as ~~early~~ as possible.

x with enclosures

W. Hill
Political Agent
Dharwar

Verb.

To be returned with enclosures.

No 191 of 1903.

Dharwar, 8th Aug: 03.

Forwarded to the Diwan of Savanur, for Compliance.

The papers referred to have been sent to him with this office ver: No FI-Mj-3-11-498 20/7/03.

Savanur

In do 439

A.P.A.

Below Assistant Poll Agent

No 191 of 8-8-03

№ 35 of 1903

Savanur 11/8/03

Returned with compliments

2) The correspondence ending with the Asst Poll Agent's No S. R. A 498/20-7-03 is herewith enclosed as desired

COLLECTOR & MAGISTRATE'S OFFICE
Register № 718
27 AUG 1903
DHARWAR DISTRICT

11/8/03

Respectfully
Dewan

№ 2200 of 1903

Dharwar 25 August 1903

Applicants for continuance of Life allowance

Forwarded with compliments to the Political Agent, Dharwar.

2. The undersigned is of opinion that Savanur the Political Agent's last order should stand. It is impossible to go on subdividing the allowances ad infinitum.

3. All the papers called for accompany

27/8

Sd

A P Agent

No. 6255 of 1903

Dharwar 7/9/03 28/9/03

/ decline & recommend

as per minute order

2 The petr is informed in writing of the order.

[illegible]
Collector

No. 250 of 1903.

Dharwar 15 September 1903.

— Forwarded to the Dewan of Savanur for information and guidance.

The papers received with his no 389 of 11th August 1903 are herewith returned for being recorded.

[illegible]
A.P. Agent

In No 528.

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

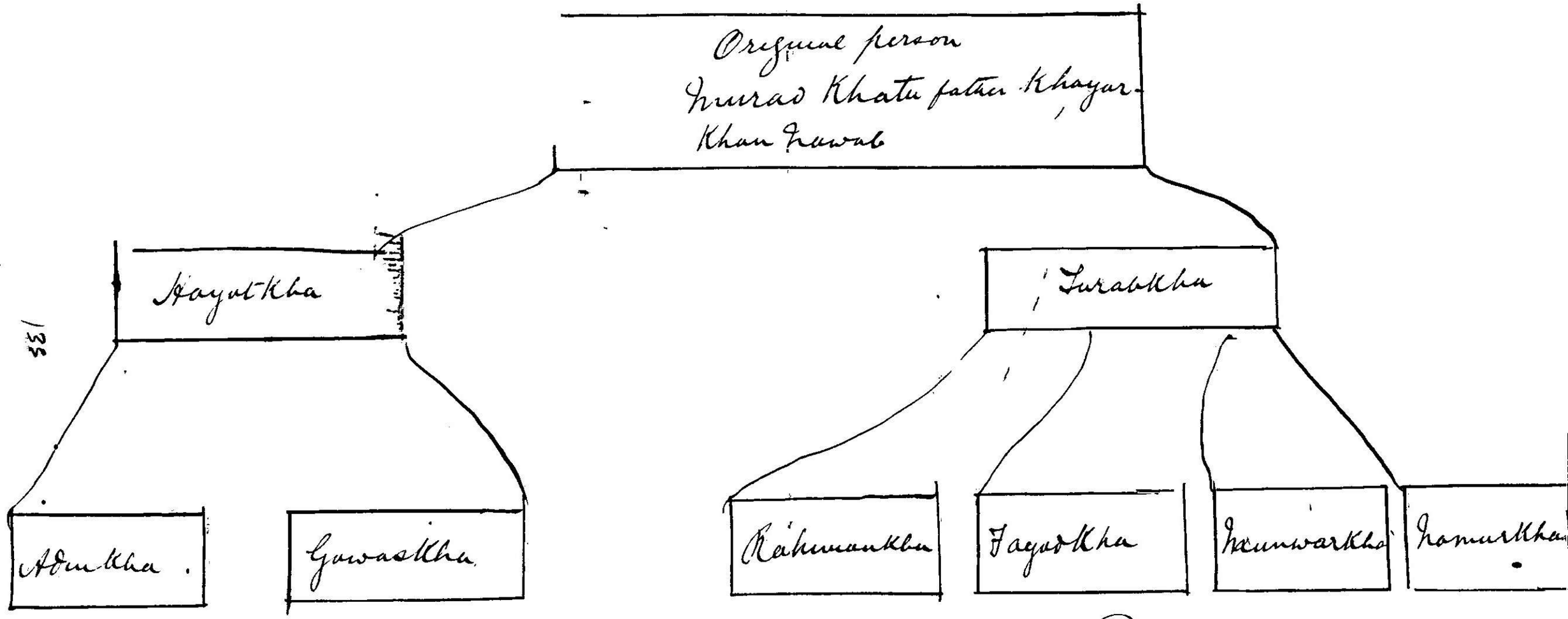
[illegible]

[illegible]

[illegible]

[illegible]

[illegible]


Original person
Murad Khatu father Khayar-
Khan Nawab
Nayat Kha
Turab Kha
Adm Kha
Gawas Kha
Rahuman Kha
Fayad Kha
Hamwar Kha
Hamur Kha

The Application dated 22nd July 1903 from Mr Abdul Fayaz-Khan s/o Turab Khan 2nd Grade Hd Constable Taluka Hangal, praying that the hereditary allowance, which is now made Tahyat should be ordered to be hereditary as before.

Letter No 5500 of 1st August 1903 from the political Agent asking the Asst political Agent to submit papers sent to him with P. Agent's office No S. M. A. 122/7-7-03.

Letter No 191 of 8th August 1903 from the Asst political Agent forwarding to the Diwan Savanur, the political Agent's No above for compliance.

Below the above No 191 of 8-8-03.

No ? of 1903

Savanur 11/8/03.

Returned with compliments.

2) The correspondence ending with the Asst Poll. Agent's No S. M. A. 498/20-7-03 is herewith enclosed as desired.

Rh

134 DC Diwan Savanur

The case papers have been returned by the Asst, Poll, Agent with his No 250 of 15-9-03 for being recorded in this office.

17/9/03 Diwan Sawanet.

Petitions. ---------- Dharwar.

Petition to the Government of India
from Abdul Nabi Khan Sahib Khanjade,
brother of the Nawab of Savanur.

No. 6193

Political Department.

Bombay Castle, 16th September 1903.

Endorsement by Abdul Nabi Khan of Savanur, dated the 29th July -- 1903:---- Resubmitting, with reference to this Department --- Memorandum No. 4897, dated the 18th July 1903, his petition -- to the address of the Government of India, dated the 9th July 1903, in which he prays, for the reasons given, that Govern--ment will direct the Collector and Political Agent, Dharwar, to confer upon him, as a descendant and member of the family of Abdul Aziz Khan, son of the late Nawab Abdul Hashimkhan of Savanur, his share of the allowance which Abdul Aziz Khan --- drew from the Savanur State and which was after his death, -- divided amongst his (Abdul Aziz Khan's) children.

Read Section I, Rule 6 (4) of the Memorial Rules received with -- the Government of India, Foreign Department, letter No. 1396-I., dated the 24th April 1894:-

"6. Local Governments, Administrations and Political -- Officers in direct subordination to the Foreign Department of the Government of India are vested with discretionary power - to withhold memorials addressed to the Government of India in the following cases:-

x x x x x

"(4). When the memorial relates to a matter which is ---- within the competence of the Local Government, Administration, or Political Officer to dispose of, and no application has -- previously been made to such Government, Administration or -- Political Officer for redress."

Resolution. The petition is withheld under --- Section

Section I, Rule 6 (4) of the Foreign Department Memorial ----
Rules.

2. The petitioner should be referred to Khan Saheb ---
Abdul Karim Khan in regard to any claim he possesses on the --
estate.

Sd/ S. W. Edgerley,

Chief Secretary to Government.

To

The Collector and Political Agent, Dharwar (with a ----
request that he will communicate this
decision to the petitioner.)

----------&&&&&&&&&&&&&&&&&&&&&&----------

In 374

No. 6604 of 1903.

Dharwar, 24th September 1903.

Copy forwarded to the Assistant Political Agent, Dharwar
for information and communication of the order to the ------
petitioner.

- Collector & Political Agent

D H A R W A R.

No 301 of 1903

Dharwar. October 1903.

Forwarded to the Dewan of Savanoor who will inform the petitioner accordingly.

12/11/03

In No 585

A.P. Agent

16-11-03

Copy of No. 5535 dated 17th August 1903, from the----
Secretary to Government, Bombay.

Pleaders

"Memorandum from the Collector and Political Agent, - Dharwar, No. 4167 dated the 10th June 1903 :---- Forwarding a petition dated the 18th May 1903, from the Abdul Tabrez - Khan in which he prays that certain gerden land situate -- at Balwati, of which his father had been dispossessed, may for the reasons given, be restored to him. Stating that the matter has already been disposed of by Government Resolu- -tion No. 6465, dated the 18th October 1894.

Memorandum from the Commissioner, Southern Division -- No.Poll/337, dated the 3rd August 1903 :--- Forwarding the above, with reference to this Department memorandum No. -- 4231 dated the 19th June 1903, and observing that the facts as stated by the Political Agent have already been before - Government (Government Resolution No. 6465 dated the 18th - October 1894).

RESOLUTION. ---- Government decline to reconsi- -der their orders in the case."

No. 6092 of 1903.

Dharwar, 28th August 1903.

Forwarded to the Assistant Political Agent, Dharwar, for

for information and communication to the petitioner.

2. This has reference to correspondence ending with this office No. 5838 dated 31st July 1901.

Political Agent,
Dharwar.

Wrongly

In No 343

No 267 of 1903

Dharwar, 23 Sep: 1903

P.C. in file

Forwarded to the Dewan of Savanoor in continuation of this office 664 dated the 2nd August 1901.

The petitioner should be informed accordingly.

In No 546

A.P. Agent

~~No ____ of 1903~~
~~Savanoor~~

P.C. cannot be traced out.
HBB

Reply

The petitioner is informed of the Resolution ~~accordingly~~ in this office Vern No 61.4 26th Sep. 1903.

Diwan Savanoor

Hubli
5th September 1903

Khurshid

From Amir Bibi Saheb
of Savanur

To, The Political Agent
Savanur

Sir, I used to be a guardian of the deceased Shahaji han-begam daughter of the late Nawab Abdul Dilerkhan and as such received an allowance of Rs 50/ per mensem. The allowance, I regret to inform you, has been stopped since the decease of Shahaji han begam which occurred in December last.

Shahaji han begam was my grand daughter and her death was a distinct loss to me and I feel it the more since the allowance I so long enjoyed

enjoyed was discontinued in my old age. I should, therefore, request you to be so kind as to order the continuance of the allowance during my life-time

I have the honour to remain
Sir
your most obedient servant

Through
The Assistant Political
Agent Savanur

COLLECTOR & MAGISTRATE'S OFFICE
Register No. 7116
25 SEP. 1903
DHARWAR DISTRICT.

No 268 of 1903
Hubli 24 September 1903

Forwarded with compliments.
The Political Agent is asked to refer to his order no. 2466 of April 8 1903

Sd/-

Shakeeka Begum, widow of late Nawab Sadik Ali Khan of Savanur, petitions on behalf of her minor son Shamsudin Ali Khan, Nawab of Savanur, for the renewal of the allowance which was discontinued on the death of his father, acting as the guardian

marked in the margin as in the file but after — liberal — no necessity of sufficiency arrears of grant for the renewal of the allowance which was discontinued on the death of his father, acting as the guardian

Gr 345
9/9/03

Below No. 268 of 24th September 1903, from the Assis-
-tant Political Agent, Dharwar.

No. 6702 of 1903.
Dharwar, 28 September 1903.

Returned with compliments.

2. The applicant should be informed that the orders ----
issued in Para 2 of this office Order dated 4th April last
cannot be altered.

Political Agent,
Dharwar.

No 297 of 1903

Dharwar 8th October 1903

Forwarded to the Dewan of Savanur for information and communication of the order to the petitioner.

A.P. Hunt

In No 579

12-10-03

Kharwar

No. 391 of 1903.

Savanur 16th August 1903.

From,

Rajerao Vittal Mangal Wedhekar Esqr.
~~The~~ Diwan of Savanur.

To,

The ~~Assistant~~ Political Agent
Dharwar.

Sir,

I have the honour to forward voting papers of voters noted in the margin and to request that they may kindly be countersigned & forwarded to the Agent for Sardars so as to reach him on or before the 31st instant.

1 Abdul Kamarodinkhan
Abdul Mubarakhan.

2 Shahajad Begum
Saheb Abdul Khairkhan
Saheb.

3 Abdul Fayazkhan.

4 Abdul Tabreykhan.

5 Abdul Jabbarkhan
Abdul Karimkhan.

6 Abdul Deler khan
Abdul Roufkhan.

I have the honour to be,
Sir,
Your most obedient servant.

139.

Diwan of Savanur

No. 28 RP (*Receipt.*)

Received a _____

addressed / ~~*payable*~~ *to* The Political Agent

at Dharwar *Post Office.*

(Add in the case of a prepaid parcel or money order)

with rupees (in words) four annas only

as detailed below :—

IF A PARCEL.		IF A MONEY ORDER.		
Weight in rates.	No. 1	Value	Rs.	As.
Postage prepaid.	Rs. — As. 4	Commission	"	"

Date stamp of Branch Office.

SAVANUR 17 AUG 03

S. R. Dadri

Branch Postmaster

Below No 290 of 7-11-1903 from the P.A. Agent under P. Agent's No 6861 dt. 6-10-0 forwarding the application of Abdul Khudus Khan Brothernawab asking for pecuniary assistance for his son's marriage from the State.

No 555 of 1903.

Savanur.
17-11-1903.

Resubmitted with compliments.

2) The application made to the undersigned on the subject is enclosed. The instances of grants said to have been made by the State are more than 25 years old. The grant to Shamashodin Khan was made for special service rendered to the State under the orders of Government. The other small grant of about Rs 100 was made to Vazirkhan in liquidation of his debt, having regard to the hopelessness of his pecuniary condition.

3) Under the agreement entered into by the father of the applicant with

the Nawab in 1853, the applicant can claim no sort of assistance except the cash allowance. (please see agreement at page 30 of the printed cash allowance Register) During the last 25 years no such claim appears to have been made by, & granted to any body.

4) The applicant in his statement before the undersigned requests that a grant of Rs 500 may be made to him. The request, if granted, is likely, may, rule to lead to other similar claims by other Biradar nawabs & Khanzadas who are similarly circumstanced & who are many in number. If it is not considered that this will be an inconvenient precedent, a grant may be made to the applicant to such extent as the Assistant Political Agent & the Political Agent may think proper.

Rs

L.G.

Dr. Divan Sawaner.

No 5 72 of 1903: Savanur.
23rd Nov 1903.

~~Criminal~~ To,
The Superintendent Government
Central Press
Bombay.

Sir,

Imperial forms.

I have the honor to request the favour of your sending me at your earliest convenience the Criminal Return

Government Gazette (B) pages

M.R.I.e. Outer sheets 50		forms according to the Higher Court Circular orders of 1902. as noted in the margin.
Do. Inner sheets 25		
M.R.I.e. Outer sheets 50		
Do. Inner sheets 25		

2) The price will be credited in the Bankapur Treasury ~~after the~~ on receipt of your bill.

I have the honor &c.

RM

O.C. Divan Savanur.

from ~~the~~ receipt. yours dt C.P.

Below No 4258 of 4-12-1903, requesting to acknowledge the receipt of 50 copies of M.R.1e outer & 25 copies of M.R.1e inner

No 605 of 1903

Savanur.
8-12-1903.

142 ~~Forwarded~~ The forms

mentioned were received.

RM

Dr. Divan Savanir.

No. of 1896

Branch Inspector

Trees

Date 28th August 1896

Sirs,

The van is requested to send us the following in it

(1) The trees on the mainhead + their space of line & the railway

(2) The remaining trees which [illegible]

(3) The trees on the embankment & the Lordsville [illegible] requirements

to show [illegible] and circumstances under which these trees [illegible]

Forward 20/8/96 [illegible]

Post Agent

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Criminal file No 1:6 of 1896

Camp Savanur dated 1st August 1896

Memo

after reading the papers (Police + Case) relating to the theft in Sangavai's house: ending in trial

5/1896 before the Dwan Mr. Mgtr of Savanur

I find that Pattavva convicted of being in guilty possession of stolen gold ornaments worth one Rs50/- is keeping one Lachapa, who was then Civil Court Bailiff. + that Dhirsingh, a Mulki was his great friend: that Lachapa + Dhirsingh were both actively concerned in selling the ornament: + took the value of it for Pattavva.

Now it is true that there was no legal evidence that either knew that the ornament they sold for Pattavva was stolen from Sangavva Balaki Savanur knew of the theft: Pattavva was charged almost the day it took place: both these men must have known that: being employed at the Kacheri: and yet the Ask no question when Pattavva produces some time afterwards this valuable gold piece to be sold - Lachapa who kept her must have known what jewellery she had + hence his friend Dhirsingh must have

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also been in a position to know –

It is the subject of public scandal that these persons are retained in official service: the time the Dewan reduced Kachafa from Bailiff to a lower position: but neither I nor the public of Travancore is satisfied with that: and I now decide that both these morally guilty men be dismissed the State service. Men of tainted character should not be employed about Rajahs.

22.8.96

T. Madhava Rao
A.P.C.

To Dewan of Travancore, with compliments, for action

T. Madhava Rao
A.P.C.

22.8.96

Recd
24/8/96

[illegible]

[illegible]

Bhanjas

Copy of memo No. 7537 dated 10th November 1903, from the Acting Under Secretary to Government.

Criminal

"The undersigned presents compliments to the Political Agent, Savanur, and with reference to his memorandum No. 7311, dated the 26th October 1903, forwarding a petition dated the 19th idem, from Wazirkhan Wallad Abdul Himatkhan in which he prays that the case in which he (petitioner) is being retried in the Court of the District Magistrate, Savanur, on a charge of cheating one Wahidkhan may be transferred, under sec: 526 of the Criminal Procedure Code, from that Court to some other Court, &c., is directed to request that the petitioner may be informed that Government see no reason to interfere."

No. 775 of 1903.
Dharwar, 11 November 1903.

Forwarded to the Divan of Savanur for information and communication to the petitioner.

Political Agent,
Dharwar.

In No 410
24-11-3

Through

The Assistant Political Agent.

No 270 of 1903.
Nagar 24 November 1903

Forwarded.

Assistant Political Agent

In 20699

24/11

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No 5-76 of 1905.

Saravanar 27/11

Under instructions from the P. A. Esq conveyed in his memo no 7755 / 16-11-05 petitioner Wazirkhan and Abdul Himatkhan is informed that Govt see no reason to interfere in the matter of his petition to Govt in which he prays that the case in which he is being tried in the court of the D. M. Saravanar on a charge of cheating and Wahidkhan may be be enquired under S 526 C.P.C to some other court &c.

Rm

26/11 Sd/-